

SEQUENCE LISTING

<110> The Trustees of the University of Pennsylvania
 Stedman, Hansell
 Su, Leonard
 Mitchell, Marilyn

<120> Microutrophin and Uses Thereof

<130> UPN-Q3355PCT

<150> US 60/538,877

<151> 2004-01-23

<160> 12

<170> PatentIn version 3.3

<210> 1

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<212> DNA

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 <223> Canine Microutrophin

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35 40 45

Gly Lys Pro Pro Ile Asn Asp Met Phe Thr Asp Leu Lys Asp Gly Arg
50 55 60

Lys Leu Leu Asp Leu Leu Glu Gly Leu Thr Gly Thr Ser Leu Pro Lys
65 70 75 80

Glu Arg Gly Ser Thr Arg Val His Ala Leu Asn Asn Val Asn Arg Val
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Leu Gln Val Leu His Gln Asn Asn Val Asp Leu Val Asn Ile Gly Gly
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Thr Asp Ile Val Asp Gly Asn His Lys Leu Thr Leu Gly Leu Leu Trp
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Ser Ile Ile Leu His Trp Gln Val Lys Asp Val Met Lys Asp Val Met
130 135 140

Ser Asp Leu Gln Gln Thr Asn Ser Glu Lys Ile Leu Leu Ser Trp Val
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Arg Gln Ser Thr Arg Pro Tyr Ser Gln Val Asn Val Leu Asn Phe Thr
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 Thr Ser Trp Thr Asp Gly Leu Ala Phe Asn Ala Val Leu His Arg His
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 225 230 235 240
 Lys Ser Ile Ile Met Tyr Leu Thr Ser Leu Phe Glu Val Leu Pro Gln
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 Gln Val Thr Leu Asp Ala Ile Arg Glu Val Glu Thr Leu Pro Arg Lys
 260 265 270
 Tyr Lys Lys Glu Cys Glu Glu Gly Glu Ile Ser Ile Gln Ser Ser Ala
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 Thr Glu Val Asp Thr Asp Leu Asp Ser Tyr Gln Ile Ala Leu Glu Glu
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 Val Leu Thr Trp Leu Leu Ser Ala Glu Asp Thr Phe Gln Glu Gln Asp
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 Asp Ile Ser Asp Asp Val Glu Glu Val Lys Glu Gln Phe Thr Thr His
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 Glu Ala Phe Met Met Glu Leu Thr Ala His Gln Ser Ser Val Gly Ser
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 Val Leu Gln Ala Gly Asn Gln Leu Ile Thr Gln Gly Thr Leu Ser Asp
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 Glu Glu Glu Phe Glu Ile Gln Glu Gln Met Thr Leu Leu Asn Ala Arg
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Asp Val Leu Met Glu Leu Gln Lys Lys Gln Leu Gln Gln Leu Ser Ala
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 Thr His Met Val Val Ile Val Asp Glu Asn Ser Gly Glu Ser Ala Thr
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 Lys Asp Gln Lys Glu Leu Ser Val Ser Ile Arg Arg Leu Ala Ile Leu
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 Lys Glu Asp Met Glu Met Lys Arg Gln Ala Leu Asp Gln Leu Ser Glu
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 595 600 605
 Lys Ile Asn Ser Asp Ser Glu Glu Leu Thr Gln Arg Trp Asp Ser Leu
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 Val Gln Arg Leu Glu Asp Ser Ser Asn Gln Val Thr Gln Ala Val Ala
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 Lys Leu Gly Met Ser Gln Ile Pro Gln Lys Asp Leu Leu Glu Thr Val
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 Pro Pro Pro Pro Pro Lys Lys Arg Gln Ile Pro Val Asp Leu Glu Lys

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 Thr Thr Cys Trp Asp Arg Pro Lys Met Thr Glu Leu Phe Gln Ser Leu
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 850 855 860
 Ile Arg Arg Leu Gln Lys Ala Leu Cys Leu Asp Leu Leu Glu Leu Asn
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 Thr Thr Asn Glu Val Phe Lys Gln His Lys Leu Asn Gln Asn Asp Gln
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 Gly Leu Glu Gln Met His Lys Asp Leu Val Asn Val Pro Leu Cys Val
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 Asp Met Cys Leu Asn Trp Leu Leu Asn Val Tyr Asp Thr Gly Arg Thr
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Gly Lys Ile Arg Val Gln Ser Leu Lys Ile Gly Leu Met Ser Leu Ser
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 Asn Asn Lys Pro Glu Ile Ser Val Lys Asp Phe Ile Asp Trp Met
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 Arg Leu Glu Pro Gln Ser Met Val Trp Leu Pro Val Leu His Arg
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Asp Ile Gln Ala Glu Ile Asp Ala His Asn Asp Ile Phe Lys Ser Ile
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Asp Gly Asn Arg Gln Lys Met Val Lys Ala Leu Gly Asn Ser Glu Glu
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Ala Thr Met Leu Gln His Arg Leu Asp Asp Met Asn Gln Arg Trp Asn
 85 90 95

Asp Leu Lys Ala Lys Ser Ala Ser Ile Arg Ala His Leu Glu Ala Ser
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Ala Glu Lys Trp Asn Arg Leu Leu Met Ser Leu Glu Glu Leu Ile Lys
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Trp Leu Asn Met Lys Asp Glu Glu Leu Lys Lys Gln Met Pro Ile Gly
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Gly Asp Val Pro Ala Leu Gln Leu Gln Tyr Asp His Cys Lys Ala Leu
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Arg Arg Glu Leu Lys Glu Lys Glu Tyr Ser Val Leu Asn Ala Val Asp
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Gln Ala Arg Val Phe Leu Ala Asp Gln Pro Ile Glu Ala Pro Glu Glu
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Pro Arg Arg Asn Leu Gln Ser Lys Thr Glu Leu Thr Pro Glu Glu Arg
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Ala Gln Lys Ile Ala Lys Ala Met Arg Lys Gln Ser Ser Glu Val Lys
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Glu Lys Trp Glu Ser Leu Asn Ala Val Thr Ser Asn Trp Gln Lys Gln
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Val Asp Lys Ala Leu Glu Lys Leu Arg Asp Leu Gln Gly Ala Met Asp

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 Lys Ile Met Ala Phe Arg Glu Glu Ile Ala Pro Ile Asn Phe Lys Val
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Gln Leu Gly Leu Leu Leu His Asp Ala Ile Gln Ile Pro Arg Gln Leu
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Phe Ile Asp Trp Met His Leu Glu Pro Gln Ser Met Val Trp Leu Pro
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Val Leu His Arg Val Ala Ala Ala Glu Thr Ala Lys His Gln Ala Lys
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Cys Asn Ile Cys Lys Glu Cys Pro Ile Val Gly Phe Arg Tyr Arg Ser
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Leu Lys His Phe Asn Tyr Asp Val Cys Gln Ser Cys Phe Phe Ser Gly
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 675 680 685

Lys Asn Lys Phe Arg Ser Lys Lys Tyr Phe Ala Lys His Pro Arg Leu
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Gly Tyr Leu Pro Val Gln Thr Val Leu Glu Gly Asp Asn Leu Glu Thr
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Pro Ile Thr Leu Ile Ser Met Trp Pro Glu His Tyr Asp Pro Ser Gln
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Ser Pro Gln Leu Phe His Asp Asp Thr His Ser Arg Ile Glu Gln Tyr
 740 745 750

Ala Thr Arg Leu Ala Gln Met Glu Arg Thr Asn Gly Ser Phe Leu Thr
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 Gln Val Glu Tyr Glu Gln Leu Lys Asp Gln His Leu Arg Arg Gly Leu
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 Pro Val Gly Ser Pro Pro Glu Ser Ile Ile Ser Pro His His Thr Ser
 850 855 860
 Glu Asp Ser Glu Leu Ile Ala Glu Ala Lys Leu Leu Arg Gln His Lys
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 Gly Arg Leu Glu Ala Arg Met Gln Ile Leu Glu Asp His Asn Lys Gln
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 Leu Glu Ser Gln Leu His Arg Leu Arg Gln Leu Leu Glu Gln Pro Glu
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 His Gln Ala Ala Gly Glu Asp Leu Leu Ala Pro Pro His Asp Thr Ser
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 35 40 45
 Gly Lys Pro Pro Ile Asn Asp Met Phe Thr Asp Leu Lys Asp Gly Arg
 50 55 60
 Lys Leu Leu Asp Leu Leu Glu Gly Leu Thr Gly Thr Ser Leu Pro Lys
 65 70 75 80
 Glu Arg Gly Ser Thr Arg Val His Ala Leu Asn Asn Val Asn Arg Val
 85 90 95
 Leu Gln Val Leu His Gln Asn Asn Val Glu Leu Val Asn Ile Gly Gly
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 Arg Gln Thr Thr Arg Pro Tyr Ser Gln Val Asn Val Leu Asn Phe Thr
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 Thr Ser Trp Thr Asp Gly Leu Ala Phe Asn Ala Val Leu His Arg His
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 Lys Pro Asp Leu Phe Ser Trp Asp Lys Val Val Lys Met Ser Pro Ile
 195 200 205
 Glu Arg Leu Glu His Ala Phe Ser Lys Ala Gln Thr Tyr Leu Gly Ile
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 Glu Lys Leu Leu Asp Pro Glu Asp Val Ala Val Arg Leu Pro Asp Lys
 225 230 235 240
 Lys Ser Ile Ile Met Tyr Leu Thr Ser Leu Phe Glu Val Leu Pro Gln
 245 250 255

Gln Val Thr Ile Asp Ala Ile Arg Glu Val Glu Thr Leu Pro Arg Lys
 260 265 270
 Tyr Lys Lys Glu Cys Glu Glu Glu Ala Ile Asn Ile Gln Ser Thr Ala
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 Pro Glu Glu Glu His Glu Ser Pro Arg Ala Glu Thr Pro Ser Thr Val
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 Thr Glu Val Asp Met Asp Leu Asp Ser Tyr Gln Ile Ala Leu Glu Glu
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 Val Leu Thr Trp Leu Leu Ser Ala Glu Asp Thr Phe Gln Glu Gln Asp
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 Asp Ile Ser Asp Asp Val Glu Glu Val Lys Asp Gln Phe Ala Thr His
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 Glu Ala Phe Met Met Glu Leu Thr Ala His Gln Ser Ser Val Gly Ser
 355 360 365
 Val Leu Gln Ala Gly Asn Gln Leu Ile Thr Gln Gly Thr Leu Ser Asp
 370 375 380
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 385 390 395 400
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 580 585 590
 Ile Gly Gln Asp Val Gly Gln Leu Leu Asp Asn Ser Lys Ala Ser Lys
 595 600 605
 Lys Ile Asn Ser Asp Ser Glu Glu Leu Thr Gln Arg Trp Asp Ser Leu
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 625 630 635 640
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 645 650 655
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 Pro Pro Pro Pro Pro Lys Lys Arg Gln Ile His Val Asp Leu Glu Lys
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Lys Leu Leu Asp Leu Leu Glu Gly Leu Thr Gly Thr Ser Leu Pro Lys

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(72) Inventors; and

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Published:

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For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: **MICROUTROPHIN AND USES THEREOF**

(57) Abstract: A microutrophin containing a utrophin having internal deletions (relative to a native utrophin) in the hinge regions and a C-terminal deletion is provided. Also provided are vectors and compositions useful for delivering the microutrophin for the treatment of muscular disorders, including Duchenne Muscular Dystrophy.

WO 2005/118611 A3

INTERNATIONAL SEARCH REPORT

PCT/US05/01768

A. CLASSIFICATION OF SUBJECT MATTER IPC(7) : C07K 1/00, 14/00; C07H 21/02, 21/04; A61K 31/70 US CL : 530/350, 827; 536/23.1-23.5; 514/44 According to International Patent Classification (IPC) or to both national classification and IPC																							
B. FIELDS SEARCHED Minimum documentation searched (classification system followed by classification symbols) U.S. : 530/350, 827; 536/23.1-23.5; 514/44 Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) BioSci, Medicine, Caplus, Medline (in Dialog), PTO internal, Sequence databases-PTO internal and NPL: utrophin, dystrophin-related protein, dystrophin-like protein, DLP, DRP.																							
C. DOCUMENTS CONSIDERED TO BE RELEVANT <table border="1"> <thead> <tr> <th>Category *</th> <th>Citation of document, with indication, where appropriate, of the relevant passages</th> <th>Relevant to claim No.</th> </tr> </thead> <tbody> <tr> <td>X</td> <td>US 6,518,413 B1 (TINSLEY et al.) 11 February 2003 (11.02.2003), Examples 1-2, column 12-17.</td> <td>1,2,4,5,7-8 and 16-17</td> </tr> <tr> <td>A</td> <td>WO 01/25461 A1 (BURTON et al.) 12 April 2001 (12.04.2001), Abstract and claims 1-10.</td> <td>7-8</td> </tr> <tr> <td>A</td> <td>GILBERT et al., Improved Performance of a Fully Guttet Adenovirus Vector Containing Two Full-Length Dystrophin cDNAs Regulated by a Strong Promoter. Molecular Therapy. October 2002. Vol. 6, No. 4, pp. 501-509. p. 502, 2nd column, 1st paragraph; pp. 502-503 and p. 507, 1st column, last two paragraphs.</td> <td>1,2,4,5,7,8,16 and 17</td> </tr> <tr> <td>L</td> <td>VAN DEUTEKOM et al., Advances in Duchenne Muscular Dystrophy Gene Therapy. Nature Reviews Genetics. October 2003. Vol. 4, pp. 774-783. Figure 1. Shows Utrophin only has two hinge regions.</td> <td>2</td> </tr> <tr> <td>L</td> <td>WINDER et al. Dystrophin and Utrophin: The Missing Link. FEBS Letters. 1995. Vol. 369, pp. 27-33. See p. 28, 1st column, 1st line.</td> <td>2</td> </tr> <tr> <td>A</td> <td>BARANOV et al. The Current State and Prospects of the Gene Therapy of Duchenne Muscular Dystrophy Worldwide and in Russia. Russian Journal of Genetics. 2001. Col. 37, No. 8, pp. 868-875. Entire Document.</td> <td>1,2, 4-8 and 16-17</td> </tr> </tbody> </table>			Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.	X	US 6,518,413 B1 (TINSLEY et al.) 11 February 2003 (11.02.2003), Examples 1-2, column 12-17.	1,2,4,5,7-8 and 16-17	A	WO 01/25461 A1 (BURTON et al.) 12 April 2001 (12.04.2001), Abstract and claims 1-10.	7-8	A	GILBERT et al., Improved Performance of a Fully Guttet Adenovirus Vector Containing Two Full-Length Dystrophin cDNAs Regulated by a Strong Promoter. Molecular Therapy. October 2002. Vol. 6, No. 4, pp. 501-509. p. 502, 2nd column, 1st paragraph; pp. 502-503 and p. 507, 1st column, last two paragraphs.	1,2,4,5,7,8,16 and 17	L	VAN DEUTEKOM et al., Advances in Duchenne Muscular Dystrophy Gene Therapy. Nature Reviews Genetics. October 2003. Vol. 4, pp. 774-783. Figure 1. Shows Utrophin only has two hinge regions.	2	L	WINDER et al. Dystrophin and Utrophin: The Missing Link. FEBS Letters. 1995. Vol. 369, pp. 27-33. See p. 28, 1st column, 1st line.	2	A	BARANOV et al. The Current State and Prospects of the Gene Therapy of Duchenne Muscular Dystrophy Worldwide and in Russia. Russian Journal of Genetics. 2001. Col. 37, No. 8, pp. 868-875. Entire Document.	1,2, 4-8 and 16-17
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L	VAN DEUTEKOM et al., Advances in Duchenne Muscular Dystrophy Gene Therapy. Nature Reviews Genetics. October 2003. Vol. 4, pp. 774-783. Figure 1. Shows Utrophin only has two hinge regions.	2																					
L	WINDER et al. Dystrophin and Utrophin: The Missing Link. FEBS Letters. 1995. Vol. 369, pp. 27-33. See p. 28, 1st column, 1st line.	2																					
A	BARANOV et al. The Current State and Prospects of the Gene Therapy of Duchenne Muscular Dystrophy Worldwide and in Russia. Russian Journal of Genetics. 2001. Col. 37, No. 8, pp. 868-875. Entire Document.	1,2, 4-8 and 16-17																					
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C. <input type="checkbox"/> See patent family annex.																							
<table border="1"> <thead> <tr> <th>Special categories of cited documents:</th> <th></th> </tr> </thead> <tbody> <tr> <td>"A" document defining the general state of the art which is not considered to be of particular relevance</td> <td>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</td> </tr> <tr> <td>"E" earlier application or patent published on or after the international filing date</td> <td>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</td> </tr> <tr> <td>"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</td> <td>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</td> </tr> <tr> <td>"O" document referring to an oral disclosure, use, exhibition or other means</td> <td>"&" document member of the same patent family</td> </tr> <tr> <td>"P" document published prior to the international filing date but later than the priority date claimed</td> <td></td> </tr> </tbody> </table>			Special categories of cited documents:		"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention	"E" earlier application or patent published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone	"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art	"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family	"P" document published prior to the international filing date but later than the priority date claimed										
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Date of the actual completion of the international search 07 November 2005 (07.11.2005)		Date of mailing of the international search report 16 DEC 2005																					
Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201		Authorized officer Suzanne M. Mayer, Ph.D. Telephone No. 571-272-1666																					

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US05/01768

C. (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	TINSLEY et al. Primary Structure of Dystrophin-Related Protein. Nature. December 1992. Vol. 360, pp.591-593. Entire Document.	1,2, 4-8 and 16-17
A	PERKINS et al. The Role Utrophin in the Potential Therapy of Duchenne Muscular Dystrophy. Neuromuscular Disorders. 2002. Vol. 12, pp. S78-S89. Entire Document.	1,2, 4-8 and 16-17
A	WILSON et al. Up71 and Up140, Two Novel Transcripts of Utrophin That Are Homologues of Short Forms of Dystrophin. Human Molecular Genetics. 1999. Vol. 8, No. 7, pp. 1271-1278. Entire document.	1,2, 4-8 and 16-17
A	AMANN et al. Utrophin Lacks the Rod Domain Actin Binding Domain of Dystrophin. The Journal of Biological Chemistry. December 1999. Vol. 274, No. 50, pp. 35375-35380. Entire Document.	1,2, 4-8 and 16-17
A	ATHENA et al., Cloning and Expression of Full Length Mouse Utrophin: The Differential Association of Utrophin and Dystrophin with AChR Clusters. FEBS Letters. 1996. Vol. 398, pp. 259-264. Entire Document.	1,2, 4-8 and 16-17
A	SQUIRE et al. Prevention of Pathology in mdx Mice by Expression of Utrophin: Analysis Using an Inducible Transgenic Expression System. Human Molecular Genetics. 2002. Vol. 11, No. 26, pp. 3333-3344. Entire Document.	1,2, 4-8 and 16-17

INTERNATIONAL SEARCH REPORT

PCT/US05/01768

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☒ Claims Nos.: 9-15
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
Claims 9-15 were unsearchable as they are dependent upon any of claims 1-8; where there is no claim 3.
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of any additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐

The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.

☐

The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limit specified in the invitation.

☐

No protest accompanied the payment of additional search fees.

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For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: **MICROUTROPHIN AND USES THEREOF**

(57) Abstract: A microutrophin containing a utrophin having internal deletions (relative to a native utrophin) in the hinge regions and a C-terminal deletion is provided. Also provided are vectors and compositions useful for delivering the microutrophin for the treatment of muscular disorders, including Duchenne Muscular Dystrophy.



WO 2005/118611 A2

MICROUTROPHIN AND USES THEREOF

5 STATEMENT OF FEDERALLY SPONSORED RESEARCH

The work described in this application was sponsored in part by a grant from the National Institutes of Health, grant number 5R01NS042874. The US government may have certain rights in this invention.

10

BACKGROUND OF THE INVENTION

The present invention relates to the use of a microutrophin coding sequence in the treatment of muscular dystrophy.

15

Duchenne Muscular Dystrophy (DMD) is caused by a deficiency of the muscle cytoskeletal protein known as dystrophin. Dystrophin is a member of the spectrin superfamily of proteins and as such is distantly related to spectrin and alpha-actinin. Dystrophin is most closely related to the protein utrophin. The genes for these two proteins have nearly identical intron/exon structures, and the proteins are 20 50+% homologous at the amino acid level. Dystrophin is expressed throughout the entire length of the skeletal muscle fiber while utrophin is normally expressed only at the neuromuscular junction. Most cases of DMD result from sporadic deletions of the X chromosomal dystrophin gene. The destruction of the dystrophin open reading frame by these mutations suggests that therapies that genetically reconstitute 25 dystrophin expression will elicit a cellular immune response against the fibers in which the protein is synthesized.

In the years following the initial discovery of utrophin, the technologies for targeted gene ablation in mice facilitated a formal genetic analysis of gene complementation. In the transgenic mouse in which the expression of utrophin is 30 dictated by a muscle-specific promoter, utrophin can complement the physiological role of dystrophin.

Tinsley and Davies, US Patent No. 6,518,413, describe the expression of a polypeptide with utrophin function from a nucleic acid sequence for use in treatment of muscular dystrophy. This group designed a truncated protein modeled on a natural

mutation identified in a mild Becker muscular dystrophy patient. However, while the constructs provide some amelioration of symptoms, they are not optimal in terms of size, permissible delivery routes, or therapeutic outcome.

More recently, X. Xiao, US Patent Application Publ'n No. US 2003/0171312 A1 and J. Chamberlain, *et al*, US Patent Application Publ'n No. US 2003/0216332 A1, have described mini-dystrophin genes for use in treating muscular dystrophies. In the case of US 2003/0171312 A1, the dystrophin mini-gene may contain regions of the utrophin gene.

What is needed is an improved method of treating muscular dystrophies.

BRIEF DESCRIPTION OF THE DRAWINGS

Figs. 1A to 1N provide the sequences of a canine microutrophin cDNA of the invention [nucleotides 12-3497 of SEQ ID NO:1] in alignment with a human microutrophin coding sequences of the invention [SEQ ID NO: 6] and a mouse microutrophin coding sequence of the invention [SEQ ID NO: 7].

Figs. 2A to 2E provide the sequences of a canine microutrophin of the invention [SEQ ID NO:2] in alignment with a human microutrophin of the invention [SEQ ID NO: 4] and a mouse microutrophin of the invention [SEQ ID NO: 5].

Fig. 3A to 2K provide an alignment of the human utrophin protein [SEQ ID NO:3] and the human dystrophin protein [SEQ ID NO: 8]. The repeats and hinge regions are marked with respect to the utrophin protein above the sequence and for the dystrophin protein below the sequence.

SUMMARY OF THE INVENTION

In one aspect, the present invention provides a vector comprising a microutrophin cassette useful in a medicament for treatment of muscular disorders, including muscular dystrophy.

In another aspect, the invention provides a pharmaceutical composition comprising the vector comprising the microutrophin cassette.

In yet another aspect, the invention provides a method of treating muscular dystrophies using microutrophin.

In still another aspect, the invention provides the use of a vector comprising a microutrophin cassette in the preparation of a medicament for treatment of muscular dystrophies.

5 Still other aspects and advantages of the invention will be apparent from the following detailed description of the invention.

DETAILED DESCRIPTION OF THE INVENTION

The present invention provides microutrophin useful in treatment of muscle wasting disorders characterized by dystrophic pathology and symptoms. The severe
10 muscle wasting disorders include Duchenne muscular dystrophy (DMD) and the less debilitating Becker muscular dystrophy. The invention further provides pharmaceutical compositions, medicaments, and methods of use thereof, for treatment of such disorders.

Without wishing to be bound by theory, the inventors believe that the present
15 invention is advantageous over prior dystrophin-based therapies, because such therapies are anticipated to cause an autoimmune response in subjects lacking the ability to express a functional native dystrophin gene. Further, the inventors believe that the present invention is advantageous over the previously described utrophin-based constructs of Tinsley and Davies, due to its design and the improved methods
20 for delivery described herein.

The term "muscle cell" or "tissue" refers to a cell or group of cells derived from muscle, including but not limited to cells and tissue derived from skeletal muscle, cardiac muscle, smooth muscle, e.g., from the digestive tract, urinary bladder and blood vessels. The constructs of the invention can be delivered in vitro or in vivo,
25 depending upon the application. Thus, for example, an isolated cardiomyocyte would constitute a "muscle cell" for purposes of the present invention, as would a muscle cell as it exists in muscle tissue present in a subject. The term also encompasses both differentiated and nondifferentiated muscle cells, such as myocytes, myotubes, myoblasts, cardiomyocytes and cardiomyoblasts, and progenitor cells, for example,
30 the muscle derived stem cells or the bone marrow derived stem cells that can become muscle cells after differentiation.

The "microtrophin" of the invention is a utrophin polypeptide having a functional portion of the "actinin-binding domain" of about 270 amino acids relative to the human utrophin which is located within the N-terminal utrophin region, at least functional portions of the proline-rich hinge regions 1 and 4 (H1) and (H4), and a
5 portion of the C-terminal utrophin protein. The microtrophin contains internal deletions in the central rod repeat domains and a truncation in the C-terminal region downstream, but retains the proper phasing (*i.e.*, conformation) to retain the desired biological function of utrophin. This construct of the invention is described in detail below.

10 Utrophin shows substantial homology to dystrophin, with significant divergence occurring in the rod domain, where utrophin lacks repeats 15 and 19 and two hinge regions (*See e.g.*, Love *et al.*, *Nature* **339**:55 [1989]; Winder *et al.*, *FEBS Lett.*, **369**:27 [1995]). Human utrophin contains 22 spectrin-like repeats and two hinge regions. *See, e.g.*, Genbank® accession number X69086 and GenBank®
15 accession number AL357149, which provides full-length human UTRN gene for utrophin and encoded protein. Homologs of utrophin have been identified in a variety of organisms, including mouse (Genbank® accession number Y12229), rat (Genbank® accession number AJ002967), and dog (GenBank® accession number NW-139836). The nucleic acid sequence of these or additional homologs can be
20 compared to the nucleic acid sequence of human utrophin using any suitable methods.

The "microtrophin" polypeptide provided in SEQ ID NO:2 and described in the examples is an artificial polypeptide containing an internal deletion and a C-terminal deletion, with respect to the native utrophin polypeptide. More particularly, the microtrophin polypeptide of Fig. 2 contains the N-terminal region of utrophin,
25 hinge 1 (H1), and hinge 2 (H2), an internal deletion from Repeat 4 through Repeat 21, and, Repeat 22 through the C-terminal region until about Exon 63. The C-terminal region from Exon 63 through the native C-terminal region is deleted. Thus, the N-terminal utrophin amino acids through hinge 2 (H2) are fused to amino acids of Repeat 22 through the C-terminal region of Exon 62. The coding sequences for this
30 polypeptide are provided in SEQ ID NO:1.

However, the microutrophin of the invention is not limited to this precise construct. Desirably, a microutrophin polypeptide contains amino acids from the N-terminal region of utrophin, at least two of the hinge regions, and all or a portion of the C-terminal region. In one embodiment, the N-terminal region of utrophin

5 comprises a polypeptide from the N-terminus to about the hinge region (e.g., about amino acid 1 to 268 based on the aligned human utrophin sequence in Fig. 3 [SEQ ID NO:3]); however, shorter or longer fragments of the utrophin sequence N-terminal to the hinge region may be selected. For example, 1 to 10, 1 to 5, 2, 3 or 4 of the first amino acids of the N-terminal sequences may be deleted. In one embodiment, the

10 microutrophin is deleted of all or a fragment of hinge region 3. In another embodiment, the microutrophin is deleted of a fragment of hinge region 4. Suitably, the deletions are selected such that they permit proper conformational alignment of the utrophin protein, and particularly, retain the critical triple helices formed by the utrophin polypeptide. Preferably, the C-terminal cysteine-rich (CR) domain is

15 truncated from a location at about Exon 63 [about amino acid 3346 of SEQ ID NO: 3] through the end of the utrophin protein. In another embodiment, a longer portion of the C-terminal region, e.g., about Exon 64 – end, about Exon 65 – end, about Exon 66-end, or more, can be retained. In one embodiment, the microutrophin comprises the N-terminal region of utrophin, at least hinges H1 and hinge 4 (H4) of utrophin

20 gene, and at least four of the central rod repeats of the utrophin genes.

Preferably, for use in human subjects, human microutrophin sequences are selected in order to minimize any immune response. Similarly, for a dog, canine sequences are preferably selected. The appropriate locations of the N-terminal, C-terminal, and internal deletions described herein in the context of the human and

25 canine sequences can be readily determined for other utrophin homologs, by preparing an alignment and comparison to the sequences of human utrophin using any suitable methods.

The sequences encoding the microutrophin polypeptide, or the fragments thereof which are fused in frame to generate the microutropin, can be obtained by

30 conventional techniques. For the experiments described herein, the utrophin sequences were obtained by reverse transcriptase (RT) polymerase chain reaction

(PCR) techniques from tissue from a dystrophic animal. Alternatively, utrophin sequences may be obtained from other suitable sources, or suitable fragments may be prepared using synthetic methods. The source of the microutrophin sequences is not a limitation of the present invention.

5 The term "microutrophin gene" or "microutrophin coding sequences" refers to a nucleic acid molecule containing sequences encoding the microutrophin constructs described herein. These sequences may be those encoding the native utrophin fragments for the constructed microutrophin polypeptide. Alternatively, the microutrophin gene may contain a modified N-terminal domain in which DNA
10 sequences surrounding the original protein translation initiation codon ATG are modified. The N-terminus of the microutrophin gene may be modified to improve expression efficiency without affecting the functionality of the gene product. For example, the original sequence surrounding the translation initiation ATG codon of
15 of protein synthesis. In one embodiment of the current invention, the three nucleotides upstream of the coding sequence may be changed from "AAA" to "CCA" and the fourth nucleotide in the coding sequence may be changed from "C" to "G". The modified sequences are useful to enhance the yield and/or purification of microutrophin protein synthesis.

20 The nucleic acid sequences encoding microutrophin can be generated using techniques known to those of skill in the art and engineered into an appropriate expression cassette under the control of regulatory sequences which direct its expression in a cell. Suitably, the microutrophin expression cassette is inserted into a vector for targeting to a desired host cell and/or into a subject. The term "expression
25 cassette" refers to a construct of genetic material that contains coding sequences and enough regulatory information to direct proper transcription and translation of the coding sequences in a recipient cell.

 The microutrophin expression cassette may be introduced into a mammalian subject using a variety of methods. It may be delivered as a naked DNA with or
30 without hydrodynamic-based or electroporation-based procedures. The microutrophin expression cassette can also be delivered using a suitable vector. A gene transfer

"vector" refers to any agent, such as a plasmid, phage, transposon, cosmid, chromosome, liposome, DNA-viral conjugates, RNA/DNA oligonucleotides, virus, bacteria, etc., which is capable of transferring gene sequences into cells. Thus, the term includes cloning and expression vehicles, as well as non-viral and viral vectors.

5 Non-viral vectors such as liposomes or virus-liposome complexes, or with viral vectors such as adenovirus, HSV, baculovirus, retrovirus, lentivirus, and preferably AAV. Expression of the microtrophin minigenes may be controlled by a number of regulatory elements, including but not limited to, AAV inverted terminal repeat (ITR), retrovirus long terminal repeat (LTR), cytomeglovirus (CMV)
10 immediate early promoter and/or enhancer, CMV enhancer and chicken β -actin promoter (CB promoter), α -actin promoter, myosin promoter, muscle-specific creatine kinase (MCK) promoter and/or enhancer, and the like. In one embodiment, the muscle-specific promoters, including modified versions of the above promoters and the synthetic muscle promoters, may also be used.

15 Optionally, a vector is targeted to specific cells by linking a target molecule to the vector. A targeting molecule is any agent that is specific for a cell or tissue type of interest, including for example, a ligand, antibody, sugar, receptor, or other binding molecule. The invention is also intended to include such other forms of vectors which serve equivalent functions and which become known in the art subsequently hereto.
20 The term "transduction" denotes the delivery of a DNA molecule to a recipient cell either *in vivo* or *in vitro*, via a replication-defective viral vector, such as via a recombinant AAV virion.

As used herein the term "regulatory sequences" pertains to sequences operably linked to the encoded gene product. In addition to the major elements identified
25 above, the macromolecular complex (*e.g.*, a vector) also includes conventional control elements that are operably linked to the transgene in a manner that permits its transcription, translation and/or expression in a cell transfected with the macromolecular complex.

"Operably linked" refers to an arrangement of elements wherein the
30 components so described are configured so as to perform their usual function. Thus, control elements operably linked to a coding sequence are capable of effecting the

expression of the coding sequence. The control elements need not be contiguous with the coding sequence, so long as they function to direct the expression thereof. Thus, for example, intervening untranslated yet transcribed sequences can be present between a promoter sequence and the coding sequence and the promoter sequence can still be considered "operably linked" to the coding sequence.

Expression control sequences include appropriate transcription initiation, termination, promoter and enhancer sequences; efficient RNA processing signals such as splicing and polyadenylation (polyA) signals; sequences that stabilize cytoplasmic mRNA; sequences that enhance translation efficiency (*i.e.*, Kozak consensus sequence); sequences that enhance protein stability; and when desired, sequences that enhance secretion of the encoded product. A great number of expression control sequences, including promoters that are native, constitutive, inducible and/or tissue-specific, are known in the art and may be utilized.

In one embodiment, the regulatory sequences are optimized for expression in the muscle and/or comprise tissue-specific promoters. For instance, if expression in skeletal muscle is desired, a promoter active in muscle can be used. These include the promoters from genes encoding skeletal β -actin, myosin light chain 2A, dystrophin, muscle creatine kinase, as well as synthetic muscle promoters with activities higher than naturally-occurring promoters (see Li *et al.*, *Nat. Biotech.*, 17:241-245 (1999)). However, one of skill in the art can readily select a suitable constitutive, inducible, or regulated promoter.

Examples of constitutive promoters include, without limitation, the retroviral Rous sarcoma virus (RSV) LTR promoter (optionally with the RSV enhancer), the cytomegalovirus (CMV) promoter (optionally with the CMV enhancer) [see, *e.g.*, Boshart *et al.*, *Cell*, 41:521-530 (1985)], the SV40 promoter, the dihydrofolate reductase promoter, the β -actin promoter, the phosphoglycerol kinase (PGK) promoter, and the EF1 promoter [Invitrogen]. Inducible promoters allow regulation of gene expression and can be regulated by exogenously supplied compounds, environmental factors such as temperature, or the presence of a specific physiological state, *e.g.*, acute phase, a particular differentiation state of the cell, or in replicating cells only. Inducible promoters and inducible systems are available from a variety of

commercial sources, including, without limitation, Invitrogen, Clontech and Ariad. Many other systems have been described and can be readily selected by one of skill in the art. Examples of inducible promoters regulated by exogenously supplied compounds, include, the zinc-inducible sheep metallothioneine (MT) promoter, the
5 dexamethasone (Dex)-inducible mouse mammary tumor virus (MMTV) promoter, the T7 polymerase promoter system [International Patent Publication No. WO 98/10088]; the ecdysone insect promoter [No *et al*, *Proc. Natl. Acad. Sci. USA*, **93**:3346-3351 (1996)], the tetracycline-repressible system [Gossen *et al*, *Proc. Natl. Acad. Sci. USA*, **89**:5547-5551 (1992)], the tetracycline-inducible system [Gossen *et al*, *Science*,
10 **268**:1766-1769 (1995), see also Harvey *et al*, *Curr. Opin. Chem. Biol.*, **2**:512-518 (1998)], the RU486-inducible system [Wang *et al*, *Nat. Biotech.*, **15**:239-243 (1997) and Wang *et al*, *Gene Ther.*, **4**:432-441 (1997)] and the rapamycin-inducible system [Magari *et al*, *J. Clin. Invest.*, **100**:2865-2872 (1997)]. Other types of inducible promoters that may be useful in this context are those that are regulated by a specific
15 physiological state, *e.g.*, temperature, acute phase, a particular differentiation state of the cell, or in replicating cells only.

In another embodiment, the native promoter for the transgene will be used. The native promoter may be preferred when it is desired that expression of the transgene should mimic the native expression. The native promoter may be used
20 when expression of the transgene must be regulated temporally or developmentally, or in a tissue-specific manner, or in response to specific transcriptional stimuli. In a further embodiment, other native expression control elements, such as enhancer elements, polyadenylation sites or Kozak consensus sequences may also be used to mimic the native expression.

25 Methods for assembling and producing a variety of different vectors defined herein are known to those of skill in the art and have been described in textbooks and in the literature. See, *e.g.*, Sambrook *et al*, *Molecular cloning: A Laboratory Manual*, Cold Spring Harbor Press, Cold Spring Harbor, NY (2000). Production of the vector is not a limitation of the present invention.

30 An "AAV vector" refers to vectors derived from an adeno-associated virus serotype, including human AAV-1, AAV-2, AAV-3, AAV-4, AAV-5, AAV-6, avian

AAV, ovian AAV, etc., AAV7 [International Patent Application No. PCT/US02/33629], AAV8 [International Patent Application No. PCT/US02/33629], human AAV9 [International Patent Application No. PCT/US04/028817], among others which have been described [G. Gao, *et al.*, *J Virol.* 2004 Jun;78(12):6381-8; G. Gao, *et al.*, *Proc Natl Acad Sci U S A.* 2003 May 13;100(10):6081-6. Epub 2003 Apr 25], and to vectors derived from more than one AAV serotype (hybrid AAV vectors). For example, a hybrid AAV vector may contain DNA sequences derived from both AAV-1 and AAV-2. An AAV vector can have one or more of the AAV wild-type genes deleted in whole or part, preferably the rep and/or cap genes, but retain functional flanking ITR sequences. AAV vectors can be constructed using recombinant techniques that are known in the art to include one or more heterologous nucleotide sequences flanked on both ends (5' and 3') with functional AAV ITRs. In the practice of the invention, an AAV vector can include at least one AAV ITR and a suitable promoter sequence positioned upstream of the heterologous nucleotide sequence and at least one AAV ITR positioned downstream of the heterologous sequence.

A "recombinant AAV vector plasmid" refers to one type of recombinant AAV vector wherein the vector comprises a plasmid. As with AAV vectors in general, 5' and 3' ITRs flank the selected heterologous nucleotide sequence. AAV vectors can also include transcription sequences such as polyadenylation sites, as well as selectable markers or reporter genes, enhancer sequences, and other control elements which allow for the induction of transcription. Such control elements are described more fully below. In addition, an "AAV vector" can be stably introduced into a cell line or cell lines for the purpose of viral particle production. Such a cell line is usually termed as AAV packaging cell line.

As used herein, the term "recombinant AAV", "recombinant AAV particle" or "recombinant AAV virion" is defined as an infectious, replication-defective virus composed of an AAV protein shell encapsidating (i.e., surrounding with a protein coat) a heterologous nucleotide sequence, which in turn is flanked 5' and 3' by AAV ITRs. In this regard, single-stranded AAV nucleic acid molecules (either the sense/coding strand or the antisense/anticoding strand as those terms are generally

defined) can be packaged into an AAV virion; both the sense and the antisense strands are equally infectious. When the recombinant AAV DNA is equal to or smaller than 50% of the full length viral genome (about 5,000 nucleotides), it can also be packaged as double-stranded hairpin-like DNA into AAV virion. Such virion is also fully
5 infectious.

The term "recombinant AAV particle" or "recombinant AAV virion" also refers to a hybrid AAV particle in which the AAV protein shell and the encapsulated nucleotide sequence may be derived from AAVs of different serotype. For example, a hybrid AAV particle may contain AAV-1 capsid proteins and AAV-2 ITRs, or vice
10 versa. It is also possible to create hybrid AAV capsid proteins using coding sequences from two or more AAV capsid genes. In addition, the capsid protein of a recombinant AAV may be manipulated by mutation, deletion, and/or insertion of amino acid sequence in order to modify the tropism of the recombinant AAV (Wu *et al.* J. Virol
74, 8635-47 [2000]; Girod *et al.* Nat Med 5, 1052-1056 [1999]).

A number of techniques for constructing recombinant AAV are known in the
15 art. See, *e.g.*, U.S. Pat. No. 5,173,414, Lebkowski *et al.* Mol Cell Biol 8, 3988-3996 [1988]; Carter B J, Current Opinion in Biotechnology 3, 533-539 [1992]; Muzyczka N, cited supra; and Zhou *et al.* J. Exp. Med. 179, 1867-1875 [1994]; Xiao *et al.* J. Virol. 72, 2224-32 [1998]; also, International Patent Appln No. PCT/US02/33629],
20 AAV8 [International Patent Appln No. PCT/US02/33629], human AAV9 [International Patent Appln No. PCT/US04/028817], among others which have been described [G. Gao, *et al.*, J Virol. 2004 Jun;78(12):6381-8; G. Gao, *et al.*, Proc Natl Acad Sci U S A. 2003 May 13;100(10):6081-6. Epub 2003 Apr 25].

Other suitable vectors may be selected for targeting to a desired host cell
25 including, *e.g.*, adenovirus, retroviral, lentivirus, and plasmids. Suitable methods for constructing adenoviral [*e.g.*, S. Roy, *et al.*, Virology, 2004 Jul 1;324(2):361-72; WO 03/046124], lentiviral [*e.g.*, WO 01/83730; WO 99/61598; R. Zuffery *et al.*, J. Virol., 72 (12):9873-9880 (Dec 1998); H. Miyoshi *et al.*, J Virol, 72(10):8150-8157 (Oct 1998) and plasmid vectors [see, *e.g.*, J. Sambrook, *et al.*, "Molecular Cloning: A
30 Laboratory Manual", Cold Spring Harbor Press, Cold Spring Harbor, NY (2000)] have been described.

Any of the above-described vectors carrying the microutrrophin expression cassette may be formulated for delivery to host cells or a subject according to published methods. The vector is mixed with a physiologically compatible carrier for administration to a human or non-human mammalian patient. Suitable carriers may be readily selected by one of skill in the art in view of the route(s) of delivery. For example, one suitable carrier includes saline, which may be formulated with a variety of buffering solutions (e.g., phosphate buffered saline). Other exemplary carriers include sterile saline, lactose, sucrose, calcium phosphate, gelatin, dextran, agar, pectin, peanut oil, sesame oil, and water. The selection of the carrier is not a limitation of the present invention.

Optionally, the compositions of the invention may contain, in addition to the vector and carrier(s), other conventional pharmaceutical ingredients, such as preservatives, or chemical stabilizers. Suitable exemplary preservatives include chlorobutanol, potassium sorbate, sorbic acid, sulfur dioxide, propyl gallate, the parabens, ethyl vanillin, glycerin, phenol, and parachlorophenol. Suitable chemical stabilizers include gelatin and albumin.

The vectors are administered to a subject in an effective amount. By "subject" is meant any mammal, including, without limitation, humans and nonhuman primates such as chimpanzees and other apes and monkey species; farm animals such as cattle, sheep, pigs, goats and horses; domestic mammals such as dogs and cats; laboratory animals including rodents such as mice, rats and guinea pigs, and the like. The term does not denote a particular age or sex. Thus, adult and newborn subjects, as well as fetuses, whether male or female, are intended to be covered.

As used herein, the term "effective amount" refers to a level which brings about at least partially a desired therapeutic or prophylactic effect in a tissue targeted by the method of the present invention. The infection with an effective amount of the vector carrying genetic material of interest can then result in the modification of the cellular activities, e.g., a change in phenotype, in a tissue targeted by the method of the present invention.

Conventional and pharmaceutically acceptable routes of administration include, but are not limited to, direct delivery to the liver or lung, orally, intranasally,

intratracheally, by inhalation, intravenously, intramuscularly, intraocularly, subcutaneously, intradermally, or by other routes of administration. Currently, intravenous and oral delivery routes are most desirable. However, other routes and combinations of different routes may be used, as desired.

5 Preferably, the constructs of the invention utilize promoters that direct expression in both skeletal and cardiac muscle. Such promoters may be constitutive promoters, examples of which are provided below. Alternatively, muscle specific promoters may be utilized. In one embodiment, the invention involves delivery of a microtrophin under the control of regulatory sequences comprising a promoter
10 specific for skeletal muscle. In another embodiment, the invention involves delivery of a microtrophin under the control of regulatory sequences comprising a promoter specific for cardiac muscle. In still another embodiment, the invention involves delivery of a mixture of microtrophin vectors, one specifically targeting skeletal muscle and another specifically targeting cardiac muscle expression.

15 In one embodiment, delivery is accomplished by the global myocardial perfusion method described in International Patent Application No. PCT/US2004/030463. In another embodiment, delivery is accomplished by the gene transfer methods described in International Patent Application No. PCT/US2004/031322, filed September 24, 2004. Briefly, this method involves
20 transferring a microtrophin of the invention to muscle cells by exsanguinating a region of the subject's microvasculature and delivering the complex to this region under high hydrostatic pressure using a configuration of perfusion cannulae and balloon as required to protect heart and lung to protect the organs during perfusion. A balloon catheter having a balloon that extends substantially the full length of the aorta
25 or vessel that is inserted into the subject is provided for use in the systemic delivery of vector. In still another embodiment, the invention provides for delivery via a perfusion circuit and surgical method is provided for delivering a substance to a subject's heart *in situ* during cardiopulmonary bypass surgery. The perfusion circuit defines a path for re-circulating a solution containing a macromolecular complex
30 through a coronary circulation circuit through a subject's heart during a surgical

procedure in which the substance is prevented from being delivered to the subject's other organs. [US Patent Appln No. 60/614,892.]

Dosages of the vector will depend primarily on factors such as the condition being treated, the age, weight and health of the patient, and may thus vary among
5 patients. For example, a therapeutically effective human dosage of the vector is generally in the range of from about 1 ml to about 100 ml of solution containing concentrations of from about 1×10^7 to 1×10^{16} genomes or particles vector. The dosage will be adjusted to balance the therapeutic benefit against any side effects and such dosages may vary depending upon the therapeutic application for which the
10 recombinant vector is employed. The levels of expression of the transgene can be monitored to determine the frequency of dosage resulting in vectors, preferably AAV vectors containing the minigene. Optionally, dosage regimens similar to those described for therapeutic purposes may be utilized for immunization using the compositions of the invention.

15 Optionally, therapy with microtrophin can be combined with other therapies.

Expression of the microtrophin minigene may be detected by immunofluorescent staining and immunoblotting (Western blotting). Microtrophin therapy may be monitored by measuring missing DAP complexes on the myofiber plasma membrane, including the sarcoglycan complex which is typically not found in
20 untreated dystrophic muscle due to the primary deficiency of dystrophin. Alternatively, microtrophin therapy can be monitored by assessing that muscle is protected from pathological phenotypes.

In one aspect, the invention provides a kit for use by a clinician or other
25 personnel. Typically, such a kit will contain a microtrophin vector of the invention and, optionally, instructions for reconstitution and/or delivery thereof. In another embodiment, the kit will contain the microtrophin vector in a physiologically compatible saline solution and, optionally, instructions for dilution, and performing a method as described herein.

30 The kit of the invention may also contain a balloon catheter to facilitate somatic gene transfer as described [International Patent Application No.

PCT/US2004/030463, or by the gene transfer methods described in International Patent Application No. PCT/US2004/031322, filed September 24, 2004], oxygen-transporting agent and/or at least one disposable element of an extracorporeal circulatory support and oxygenation system. For example, at least one disposable
5 element can be an oxygenator having a hollow body, a liquid inlet in fluid communication with the interior of the body, a liquid outlet in fluid communication with the interior of the body, a gas inlet for providing gas to the interior of a gas chamber, at least one gas-permeable membrane separating the gas chamber from the interior of the body, and a gas outlet for permitting gas to exit from the gas chamber,
10 whereby gas exchange is enabled between a fluid in the interior of the body and a gas in the gas chamber. The oxygenator may be constructed as described in US Patent No. 6,177,403, wherein the gas-permeable membrane comprises PTFE tubing extending within at least a portion of the tube, and wherein the gas chamber comprises the interior of the PTFE tubing.

15

The following examples are illustrative of the invention. However, it will be understood that the invention is not limited to the following specified embodiments, or the methods or techniques for production or expression described therein.

20 **Example 1: Generation of Viral Vector containing Microutrophin Expression Cassette**

To obtain the microutrophin, mRNA was extracted from frozen aliquot of canine muscle and reverse transcribed into cDNA using the RETROscript system (Ambion). The cDNA was used as template for PCR using primers for canine
25 utrophin. The PCR products were analyzed on 1.2% agarose gel.

Two microutrophin fragments were made by PCR cloning using Taq polymerase (ROCHE) and canine cDNA as the template. The first fragment cDNA was amplified with the primers, 5' CCG CGG GTA CCA GGA TCC GTC GAC ATC GAT CCA CCA TGG CCA AGT ATG GAG AA (sense, SEQ ID NO: 9) and
30 Hinge 2 (Sal), 5' GTC GAC AGG AAT CTG TCT CTT CTT TGG (antisense; SEQ ID NO: 10). The second fragment used the primers, 3' Exon70 TTA AGG ATC

CTC GAG TTT TTC AAG TCT CTA AGT TGT CAC C, SEQ ID NO: 11; Rpt 24
(Sal) 5'-GTC GAC CTG GAG AAG CTC AGA GAC-3'; SEQ ID NO:12.

Two microtrophin fragments were then joined at a Sal I site to form the
microtrophin cassette. PCR TOPO (Invitrogen) cloning vector according to
5 manufacture's instruction.

The plasmid DNA was isolated and analyzed by restriction analysis to confirm
the presence of the insert. The DNA was sequence to verify the presence of the gene.
The microtrophin gene was isolated from the plasmid DNA (with ClaI and XhoI
restriction sites) and cloned into an AAV vector plasmid containing a
10 cytomegalovirus (CMV) promoter and the small poly (A) signal sequence to generate
the viral vector AAV2/1-CMV microtrophin. The recombinant AAV serotype 2/1
was prepared by published methods [A. Auricchio et al, J Clin Invest. 110(40:499-504
(Aug 15 2002); W. Xiao et al, J Virol, 73:3994-4003 (1999); US Patent No.
6,759,237].

15

Example 2: Expression of Functional Microtrophin

The mdx mouse (Bulfield et al. Proc. Natl. Acad. Sci. USA 81, 1189-1192
[1984]) is an animal model of DMD [purchased from Jackson Laboratory]. The
20 genetic lesion in the mdx dystrophin gene is a nonsense mutation at base 3185 of the
mRNA that causes premature termination of translation within exon 23. This
nonsense mutation precludes synthesis of a functional protein. The mdx mouse model
was used to assess the histological and western blot appearance of recombinant canine
microtrophin.

25

Briefly, AAV2/1-microtrophin was into the right quadricep muscle of the
mdx mice (intramuscular injection) with 1×10^{12} GC particles of
purified virus AAV microtrophin. Muscle samples were collected for examination at
various time points (approximately 1 to 2 months) after vector injection.

30

Muscle cryosections were immunofluorescently stained with utrophin (N-
terminus) mouse monoclonal antibody (Vector Labs) and donkey anti- mouse FITC
(Jackson ImmunoResearch). Slides were examined with a Nikon microscope.

Protein expression was observed in the neuromuscular junctions and in low level staining of sarcolemma and vessel walls in mdx mice. Molecular weights are 133 kd for the microtrophin.

- 5 The construct will be further assessed in a German Short haired Pointer dog, because of its complete deletion of the dystrophin coding sequence (SJ Schatzberg, et al, Neuromuscul Disord. 1999 Jul;9(5):289-95.).

- 10 All documents and GenBank® citations identified herein are incorporated by reference. Numerous modifications to, and variations of, the specific embodiments described herein will be readily apparent to one of skill in the art. The appended claims are intended to be construed to include all such embodiments and equivalent variations.

CLAIMS:

1. A nucleic acid molecule comprising nucleic acid sequence encoding microtrophin under the control of regulatory sequences which direct expression of the microtrophin in a host cell.
2. The nucleic acid molecule according to claim 1, wherein the microtrophin comprises an internal deletion of the native utrophin protein of hinge region 3.
4. The nucleic acid molecule according to claim 1, wherein the microtrophin comprises a C-terminal deletion from exon 63 through the C-terminal amino acid of the native utrophin protein.
5. The nucleic acid molecule according to claim 1, wherein the microtrophin comprises the N-terminal sequences of utrophin through at least two hinge regions, and a C-terminal region from repeat 22 through exon 63.
6. The nucleic acid molecule according to claim 1, wherein the microtrophin is selected from the group consisting of human microtrophin having the amino acid sequence of SEQ ID NO: 4, canine microtrophin having the amino acid sequence of SEQ ID NO:2, and mouse microtrophin having the amino acid sequence of SEQ ID NO:5.
7. The nucleic acid molecule according to claim 1, wherein the regulatory sequences comprise a constitutive promoter.
8. The nucleic acid molecule according to claim 1, wherein the regulatory sequences comprise a muscle-specific promoter.
9. A vector comprising the nucleic acid molecule of any of claims 1 to 8.

10. The vector according to claim 9, wherein said vector is selected from the group consisting of an adeno-associated viral vector and a plasmid vector.
11. A pharmaceutical composition comprising a vector according to claim 9 or 10 and a physiologically compatible carrier.
12. The pharmaceutical composition according to claim 11, wherein the carrier is a buffered saline solution.
13. Use of a nucleic acid molecule according to any of claims 1 – 8 in preparing a medicament.
14. Use according to claim 13 wherein the medicament is useful for treatment of muscular disorders.
15. Use according to claim 13 wherein the medicament is useful for treatment of Duchenne Muscular Dystrophy.
16. A method of treating dystrophin deficiency by delivery of a vector comprising a nucleic acid molecule according to claim 1 and a physiologically compatible carrier.
17. The method according to claim 16, wherein the vector is an adeno-associated viral vector.

FIG. 1A

Mouse Microtroutro	1	ATGCCAAGTATGGGACCTTGAAGCCAGGCCTGATGATGGCAGAACGA	50
Human Microtroutro	1	ATGCCAAGTATGGAGAACATGAAGCCAGTCCTGACAAATGGCAGAACGA	50
Canine Microtroutro	1	ATGCCAAGTATGGAGAACATGAAGCCAGTCCTGATAATGGCAGAACGA	50
		***** ** * ***** ** * *****	
Mouse Microtroutro	51	ATTCAGTGACATCATTAAGTCCAGATCTGATGAACACAAATGATGTACAGA	100
Human Microtroutro	51	ATTCAGTGATATCATTAAGTCCAGATCTGATGAACACAAATGACGTACAGA	100
Canine Microtroutro	51	ATTCAGTGACATCATTAAGTCCAGATCTGATGAACACAAATGACGTGCAGA	100
		***** ***** ***** ***** ** *	
Mouse Microtroutro	101	AGAAACCTTTACCAAATGGATAAACGCTCGATTTTCCAAGAGTGGGAAA	150
Human Microtroutro	101	AGAAACCTTTACCAAATGGATAAATGCTCGATTTTCAAAGAGTGGGAAA	150
Canine Microtroutro	101	AGAAACCTTTACCAAATGGATCAATGCGGATTTTCAAAGAGTGGGAAA	150
		***** ***** ** * ***** ***** *	
Mouse Microtroutro	151	CCACCCATCAGTGATATGTTCTCAGACCTCAAAGATGGGAGAAAGCTCTT	200
Human Microtroutro	151	CCACCCATCAATGATATGTTTCACAGACCTCAAAGATGGAAGGAGCTATT	200
Canine Microtroutro	151	CCACCCATCAATGATATGTTTCACAGACCTCAAAGATGGAAGGAGCTCCT	200
		***** ***** ***** ***** ** *	
Mouse Microtroutro	201	GGATCTTCTCGAAGGCCTCACAGGAACATCATTGCCAAAGGAACGTGGTT	250
Human Microtroutro	201	GGATCTTCTAGAAGGCCTCACAGGAACATCACTGCCAAAGGAACGTGGTT	250
Canine Microtroutro	201	GGATCTTCTGGAAGGCCTCACAGGAACATCACTGCCAAAGGAACGTGGTT	250
		***** ***** ***** ***** *****	

FIG. 1E

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Mouse Microtro 1001 AGCAACATGACATTTCTGATGATGTGGAAGTCAAAGAGCAGTTTGCT 1050
Human Microtro 1001 AGCAGGATGATATTTCTGATGATGTTGAAGAAAGTCAAAGACCAGTTTGCA 1050
Canine Microtr 1001 AGCAGGATGACATTTCTGATGATGTAGAAGAAAGTCAAAGAGCAGTTTACT 1050
      **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *
      **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *

Mouse Microtro 1051 ACCCATGAACCTTTTATGATGGAGCTGACAGCACACACCAGAGCAGCGTGGG 1100
Human Microtro 1051 ACCCATGAAGCTTTTATGATGGAAGTGAAGTGCACACACCAGAGCAGTGTGG 1100
Canine Microtr 1051 ACCCATGAAGCTTTTATGATGGAGCTGACAGCGCACACCAGAGCAGTGTGG 1100
      **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *
      **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *  **** *

Mouse Microtro 1101 GAGCGTCCTGCGAGGCTGGCAACCAGCTGATGACACAAAGGACTCTGTCCA 1150
Human Microtro 1101 CAGCGTCCTGCGAGGCGAGGCAACCAACTGATAACACAAGGAACTCTGTGAG 1150
Canine Microtr 1101 CAGTGTCTCTGCGAGGCGAGGAAACCAAGCTGATAACGCAAGGAACTCTGTGAG 1150
      ** ***** ** ***** ** ***** ** ***** ** ***** ** ***** **
      ** ***** ** ***** ** ***** ** ***** ** ***** ** ***** **

Mouse Microtro 1151 GAGAGGAGGAGTTTGAGATCCAGGAACACAGATGACCTTGCTGAATGCAAG 1200
Human Microtro 1151 ACGAAGAAGAAATTTGAGATTCAGGAACACAGATGACCTTGCTGAATGCTAGA 1200
Canine Microtr 1151 ATGAGGAGGAATTTGAAATTCAGGAACAAATGACCTTGCTAAATGCTAGA 1200
      ** ** ** ***** ** ***** ** ***** ** ***** ** ***** **
      ** ** ** ***** ** ***** ** ***** ** ***** ** ***** **

Mouse Microtro 1201 TGGGAGGCGCTCCGGGTGGAGAGCATGGAGAGGAGTCCCGGCTGCACGA 1250
Human Microtro 1201 TGGGAGGCTCTTAGGGTGGAGAGTATGGACAGACAGTCCCGGCTGCACGA 1250
Canine Microtr 1201 TGGGAGGCACTCAGGGTGGATAGTATGAACAGACAGTCCCGGCTGCATGA 1250
      ***** ** ***** ** ***** ** ***** ** ***** ** ***** **
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FIG. 1H

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Mouse Microtro 1751 GGCAGACTCTGGATCAACTGAGTGAGATTGGCCAGGATGTGGCCCAATTA 1800
Human Microtro 1751 GTCAAACATTGGATCAGCTGAGTGAGATTGGCCAGGATGTGGACAAATTA 1800
Canine Microtr 1751 GTCAGGCATTGGATCAGCTGAGTGAGATTGGCCAGGATGTGGCCCAATTA 1800
* * * * * *****
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* * * * * *****

Mouse Microtro 1801 CTCAGTAATCCCAAGGCATCTAAGAAGATGAACAGTGACTCTGAGGAGCT 1850
Human Microtro 1801 CTTGATAATTCCAAGGCATCTAAGAAGATCAACAGTGACTCAGAGGAACT 1850
Canine Microtr 1801 GTTGATAATCCCAAGGCATCTAAGAAGATCAACAGTGACTCAGAGGAACT 1850
* * * * * *****
* * * * * *****
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Mouse Microtro 1851 AACACAGAGATGGGATTCTCTGGTTCAGAGACTCGAAGACTCTTTCTAACC 1900
Human Microtro 1851 GACTCAAGATGGGATTCTTTGGTTCAGAGACTAGAAGATTCTCTCAACC 1900
Canine Microtr 1851 AACTCAGAGATGGGATTCTTTGGTTCAGAGACTAGAAGATTCTCTAGCC 1900
* * * * * *****
* * * * * *****
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Mouse Microtro 1901 AGGTGACTCAGGCGGTAGCGAAGCTCGGCATGTCCCAGATTCCACAGAAG 1950
Human Microtro 1901 AGGTGACTCAGGCTGTAGCAAGCTGGGGATGTCTCAGATTCTCTCAGAAG 1950
Canine Microtr 1901 AGGTGACTCAGGCTGTGGCAAGCTGGGGATGTCCCAAAATTCCTCAGAAA 1950
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Mouse Microtro 1951 GACCTATTGGAGACCGTTTCATGTGAGAGAACAGGGATGGTGAAGAAGCC 2000
Human Microtro 1951 GACCTTTTGGAGACTGTTTCGTGAAGAGAACAAAGCAATTACAAAAAATC 2000
Canine Microtr 1951 GATCTTCTGGAGACTGTTTCGCATAAGAGAACAAAGTAACTACAAAAAGGTC 2000
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Mouse	Microtrio	2001	CAAGCAGGA	AACTGCCTCCTCCTCC	CCCCACCA	AAAGAGACAGATT	CACG	2050
Human	Microtrio	2001	TAAGCAGGA	AACTGCCTCCTCCTCC	CCCCAA	AAAGAGACAGATCC	ATG	2050
Canine	Microtrio	2001	TAAGCAAGA	AACTGCCTCCTCCTCC	CCCCAA	AAAGAGACAGATTCC	TG	2050
			****	*****	*****	*****	*	
Mouse	Microtrio	2051	TGGACTT	AGAGAACTCCGAGACCT	GCAGGGAGCTAT	GGACGACCTGG	AC	2100
Human	Microtrio	2051	TGGATT	TGGAGAACTCAGAGACCT	GCAGGGAGCTAT	GGATGACCTGG	AC	2100
Canine	Microtrio	2051	TGGATCT	TGGAGAAGCTCAGAGACCT	GCAGGGAGCCAT	GGATGACCTGG	AT	2100
			***	*	*****	*****	*****	
Mouse	Microtrio	2101	GCAGACAT	GAAGGAGGTGGAGGCT	TGCGGAATGGCT	GGAAGCCCGTGGG		2150
Human	Microtrio	2101	GCTGACAT	GAAGGAGGCAGAGTCCG	TGCGGAATGGCT	GGAAGCCCGTGGG		2150
Canine	Microtrio	2101	GTTGACAT	GAAGGAGGCGGAGGCT	TGTAGGAATGGCT	GGAAGCCCTGTGGG		2150
			*	*****	*****	*****	*****	
Mouse	Microtrio	2151	AGACCTGCTT	ATAGACTCCCTGCAGGAT	CACATCGAGAAAACCC	TGGCGGT		2200
Human	Microtrio	2151	AGACTTACT	CATTGACTCGCTGCAGGAT	CACATTGAAAAAATCAT	GGCAT		2200
Canine	Microtrio	2151	AGACTTACTT	ATCGACTCACTGCAGGAT	CACATTGAAAAAACC	ATGGCAT		2200
			****	*	*****	*****	*****	
Mouse	Microtrio	2201	TTAGAGA	AGAAAATTGCACCAATCA	AACTTAAAAAGTAAAA	CAATGAATGAC		2250
Human	Microtrio	2201	TTAGAGA	AGAAAATTGCACCAATCA	AACTTAAAAAGTAAAA	CGTGAATGAT		2250
Canine	Microtrio	2201	TTAGAGA	AGAAAATTGCACCAATCA	AACTTAAAAAGTAAAA	ACAGTGAATGAT		2250
			*****	*****	*****	*****	*****	

FIG. 1K

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Mouse Microutr 2501 CCTGTTGGGATCATCCTAAATGACTGAGCTCTTCCAATCCCTTGCTGAT 2550
Human Microutr 2501 CCTGTTGGGACCATCCTAAATGACCGAATCTTTCAATCCCTTGCTGAC 2550
Canine Microutr 2501 CTTGTTGGGACCGTCCCTAAATGACTGAATCTTTCAATCTCTTGCTGAC 2550
* **** * * **** * * **** * * **** * * **** *
Mouse Microutr 2551 CTGAATAATGTACGTTTCTCTGCCTACCGCACAGCAATCAAAATTCGAAG 2600
Human Microutr 2551 CTGAATAATGTACGTTTCTCTGCCTACCGTACAGCAATCAAAATCCGAAG 2600
Canine Microutr 2551 CTGAATAATGTACGTTTCTCTGCCTACCGTACAGCCATCAAAATCCGAAG 2600
***** * * **** * * **** * * **** * * **** *
Mouse Microutr 2601 GCTGCAAAAAGCATTATGTCTGGATCTCTTAGAGCTGAATACGACGAATG 2650
Human Microutr 2601 ACTACAAAAGCATTATGTTGGATCTCTTAGAGTTGAGTACAACAAATG 2650
Canine Microutr 2601 ACTACAAAAGCATTGTTGGATCTCTTAGAGTTGAATACAACAAATG 2650
** ***** * ** ***** * ** ***** * ** *****
Mouse Microutr 2651 AAGTTTCAAGCAGCACAAACTGAACCAAAATGATCAGCTCCTGAGTGT 2700
Human Microutr 2651 AAATTTCAAAACAGCACAAAGTTGAACCAAAATGACCAAGCTCCTCAGTGT 2700
Canine Microutr 2651 AAGTTTCAAGCAGCACAAACTGAACCAAAATGATCAGCTTCTTAGCGTT 2700
** ***** * ** ***** * ** ***** * ** *****
Mouse Microutr 2701 CCAGACGTCACTCAACTGTCTGACCACCACCTTACGATGGGCTTGAGCAGCT 2750
Human Microutr 2701 CCAGATGTCATCAACTGTCTGACAACAACCTTATGATGGACTTGAGCAAAAT 2750
Canine Microutr 2701 CCAGATGTCATCAACTGTCTGACAACAACCTTATGATGGTCTTGAACAAAT 2750
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FIG. 1L

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Mouse Microtro 2751 GCACAAGGACTTGGTCAATGTTCCACTCTGCGTCGATATGTGTCTCAACT 2800
Human Microtro 2751 GCATAAGGACCTGGTCAACGTTCCACTCTGTGTGATATGTGTCTCAATT 2800
Canine Microtr 2751 GCATAAGGATCTGGTCAACGTTCCACTCTGTGTGGATATGTGTCTCAACT 2800
*** ***** ***** ** ***** ***** ** ***** ***** *
Mouse Microtro 2801 GGCTGCTCAACGTATACGACACGGGCGGCACTGGAAAAATTCGGGTACAG 2850
Human Microtro 2801 GGTGCTCAATGTCTATGACACGGGTGCAACTGGAAAAATTAGAGTGCAG 2850
Canine Microtr 2801 GGTGCTCAATGTGTATGACACGGGTGCAACTGGAAAAATAGAGTGCAG 2850
** ***** ** ** ***** ** ***** ** ***** ** ***** **
Mouse Microtro 2851 AGTCTGAAGATTGGATTGATGTCTCTCTCCAAAGGCCTCTTAGAAGAGAA 2900
Human Microtro 2851 AGTCTGAAGATTGGATTGATGTCTCTCTCCAAAGGTCTCTTGAAGAAAA 2900
Canine Microtr 2851 AGTCTGAAGATTGGATTGATGTCTCTCTCCAAAGGTCTCTTAGAAGAAAA 2900
***** ***** ***** ***** ***** ***** ***** ***** **
Mouse Microtro 2901 ATACAGATGTCTCTTTAAGGAGGTGGCAGGGCCAACTGAGATGTGTGACC 2950
Human Microtro 2901 ATACAGATATCTCTTTAAGGAAGTTGCGGGGCCGACAGAAATGTGTGACC 2950
Canine Microtr 2901 ATACAGATATCTCTTTAAGGAGGTGGCAGGTCCGACAGAAATGTGTGACC 2950
***** ***** ***** ** ** ** ** ***** *****
Mouse Microtro 2951 AGCGGCAGCTTGGCCCTGCTACTTCAGATGCCATCCAGATCCCTTAGGCAG 3000
Human Microtro 2951 AGAGGCAGCTGGCCCTGTTACTTCATGATGCCATCCAGATCCCCGGCAG 3000
Canine Microtr 2951 AGAGGCAGCTTGGCCCTGTTACTTCATGATGCCATCCAGATCCCTCGGCAG 3000
** ***** ** ***** ***** ***** ***** ***** *****
```

FIG. 1M

```
Mouse Microutro 3001 CTGGGGAAGTAGAGCCCTTTGGGGGCAGTAACATTAGCCCCAGTGTCCG 3050
Human Microutro 3001 CTAGGTGAAGTAGAGCTTTTGGAGGCAGTAATAATTAGCCCTAGTGTTCG 3050
Canine Microutr 3001 CTGGGGAAGTAGAGCTTTTGGGGGCAGTAATAATTGAACCCAGTGTTCG 3050
** ** ***** ** ** ***** ** ** ***** **
Mouse Microutro 3051 CAGCTGCTTCCAGCAGAATAACAACAAGCCAGAAATCAGTGTGAAGGAGT 3100
Human Microutro 3051 CAGCTGCTTCCAACAGATAACAATAAACCCAGAAATAAGTGTGAAGAGT 3100
Canine Microutr 3051 CAGCTGCTTCCAACAGATAACAATAAGCCAGAGATAAGCGTAAAGATT 3100
***** ** ***** ** ***** ** ***** **
Mouse Microutro 3101 TTATAGACTGGATGCATTTTGGAAACCCAGTCCATGGTGTGGTTGCCGGTT 3150
Human Microutro 3101 TTATAGATTGGATGCATTTTGGAAACCCAGTCCATGGTGTGGTTGCCAGTT 3150
Canine Microutr 3101 TTATAGATTGGATGCGTCTGGAACCCAGTCCATGGTGTGGTTGCCAGTT 3150
***** * ***** * ***** * ***** *
Mouse Microutro 3151 CTGCATCGGGTGCAGCTGCTGAGACTGCCAAAACATCAGGCCAAATGCAA 3200
Human Microutro 3151 TTACATCGAGTGGCAGCAGCGGAGACTGCCAAAACATCAGGCCAAATGCAA 3200
Canine Microutr 3151 TTACACCGAGTGGCTGCAGCTGAGACTGCCAAAGCATCAAGCTAAATGCAA 3200
* * * * * * * * * * * * * * * *
Mouse Microutro 3201 CATCTGCAAGAAGATGCCCGATTGTTGGTTTCAGATACAGGAGCCTAAAGC 3250
Human Microutro 3201 CATCTGTAAAGAAGATGTCCAATTGTTCGGTTTCAGGTATAGAAGCCTTAAGC 3250
Canine Microutr 3201 CATCTGTAAAGAAGATGTCCAATAGTTGGTTTCAGGTATAGAAGCCTTAAGC 3250
***** ***** ** ** ***** ** ** ***** ****
```

FIG. 1N

```
Mouse Microtro 3251 ATTTAATTATGATGCTGCCAGAGTTGCTTCTTTTCTGGAAGAACAGCA 3300
Human Microtro 3251 ATTTAACTATGATGCTGCCAGAGTTGTTTCTTTTCGGGTCGAACAGCA 3300
Canine Microtr 3251 ATTTAACTATGATGCTGCCAGAGTTGCTTTTTCGGGTCGAACGGCA 3300
***** ** ***** ** ***** ** ***** ** ***** **
Mouse Microtro 3301 AAGGCCACAAATTACATTACCCGATGGTAGAATACTGCATACCGACAAC 3350
Human Microtro 3301 AAAGGTCACAAATTACATTACCCAAATGGTGAATATTGTATACCTACAAC 3350
Canine Microtr 3301 AAAGGTCACAAATTACATTACCCAAATGGTGAATATTGTATACCTACAAC 3350
** ** ***** ***** ***** ***** ***** ** ***** *****
Mouse Microtro 3351 ATCTGGGGAAGATGTGAGAGATTTCACCTAAGGTGCTGAAGAACAAGTTCA 3400
Human Microtro 3351 ATCTGGGGAAGATGTACGAGACTTCACAAAGGTACTTAAGAACAAGTTCA 3400
Canine Microtr 3351 ATCTGGGGAAGATGTACGAGACTTCACAAAGGTGCTGAAGAATAAGTTCA 3400
***** ***** ***** ***** ***** ** ***** *****
Mouse Microtro 3401 GGTCGAAGAAATATTTTGCCAAACATCCTCGGCTTGGCTACCTGCCTGTC 3450
Human Microtro 3401 GGTCGAAGAAAGTACTTTGCCAAACACCCCTCGACTTGGTTACCTGCCTGTC 3450
Canine Microtr 3401 GATCAAGAAATACTTTGCCAAACATCCTCGGCTTGGCTACCTGCCTGTC 3450
* ** ***** ** ***** ***** ***** ***** *****
Mouse Microtro 3451 CAGACCGTGCTGGAAGGGGACAACTTAGAAACTTGA 3486
Human Microtro 3451 CAGACAGTTCTTGAAGGTGACAACTTAGAGACTTGA 3486
Canine Microtr 3451 CAGACAGTACTTGAAGGTGACAACTTAGAGACTTGA 3486
***** ** ** ***** ***** ***** ***** *****
```

FIG. 2A

Canine Microutr	1	MAKYGEHEASPDNGQNEFSDIIKRSDEHNDVQKKTFTKWINARFSKSGK	50
Human Microutro	1	MAKYGEHEASPDNGQNEFSDIIKRSDEHNDVQKKTFTKWINARFSKSGK	50
Mouse Microutro	1	MAKYGDLEARDGQNEFSDIIKRSDEHNDVQKKTFTKWINARFSKSGK	50
		****. ** ** *****	
Canine Microutr	51	PPINDMFTDLKGRKLLDLEGLTGTSLPKERGSTRVHALNNVRVLQVL	100
Human Microutro	51	PPINDMFTDLKGRKLLDLEGLTGTSLPKERGSTRVHALNNVRVLQVL	100
Mouse Microutro	51	PPISDMFSDLKGRKLLDLEGLTGTSLPKERGSTRVHALNNVRVLQVL	100
		. **	
Canine Microutr	101	HQNNVDLVNIGGTDIVDGNHKLTLGLLWSIILHWQVKDVMKDVMSDLQQT	150
Human Microutro	101	HQNNVELVNIGGTDIVDGNHKLTLGLLWSIILHWQVKDVMKDVMSDLQQT	150
Mouse Microutro	101	HQNNVDLVNIGGTDIVAGNPKLTLGLLWSIILHWQVKDVMKDVMSDLQQT	150
		*****. *****	
Canine Microutr	151	NSEKILLSWVRQSTRPYSQVNVNFTTSWTDGLAFNAVLHRHKPDLEFSWD	200
Human Microutro	151	NSEKILLSWVRQSTRPYSQVNVNFTTSWTDGLAFNAVLHRHKPDLEFSWD	200
Mouse Microutro	151	NSEKILLSWVRQSTRPYSQVNVNFTTSWTDGLAFNAVLHRHKPDLEFDWD	200
		*****. *****	
Canine Microutr	201	RVVKMSPIERLEHAFAFKAQTYLGLIEKLLDPEDVAVQLPKKSIIMYLTSL	250
Human Microutro	201	KVVKMSPIERLEHAFAFKAQTYLGLIEKLLDPEDVAVRLPKKSIIMYLTSL	250
Mouse Microutro	201	EMVKMSPIERLDHAFDKAHTSLGIEKLLSPETVAVHLPLPKKSIIMYLTSL	250
		*****. *** ** * *****	

FIG. 2B

Canine Microtr	251	FEVLPQQVTIDAIREVETLPRKYKKECEEEISIQSSAPEEEHECPGAET	300
Human Microtr	251	FEVLPQQVTIDAIREVETLPRKYKKECEEEAINIQSTAPEEEHESPAET	300
Mouse Microtr	251	FEVLPQQVTIDAIREVETLPRKYKKECEEEIHIQSAVLAEEGQSPRAET	300
		***** * * * * *	
		***** * * * * *	
Canine Microtr	301	PSTVTEVDTDLDYSYQIALEEVLTWLLSAEDTFQEQQDDISDDVEEVKEQFT	350
Human Microtr	301	PSTVTEVDMDLDSYQIALEEVLTWLLSAEDTFQEQQDDISDDVEEVKDQFA	350
Mouse Microtr	301	PSTVTEVDMDLDSYQIALEEVLTWLLSAEDTFQEQQHDISDDVEEVKEQFA	350
		***** * * * * *	
		***** * * * * *	
Canine Microtr	351	THEAFMELTAHQSSVGSVLOAGNQLITQGTLSDEEEFEIQEQMTLLNAR	400
Human Microtr	351	THEAFMELTAHQSSVGSVLOAGNQLITQGTLSDEEEFEIQEQMTLLNAR	400
Mouse Microtr	351	THEAFMELTAHQSSVGSVLOAGNQLITQGTLSDEEEFEIQEQMTLLNAR	400
		***** * * * * *	
		***** * * * * *	
Canine Microtr	401	WEALRVDSMNRQSRHLHDVIMELQKKQLQQLSAWLTLTTEERIQKMETCPLD	450
Human Microtr	401	WEALRVESMDRQSRHLHDVIMELQKKQLQQLSAWLTLTTEERIQKMETCPLD	450
Mouse Microtr	401	WEALRVESMERQSRHLHDALMELQKKQLQQLSSWLALTEERIQKMESLPLG	450
		***** * * * * *	
		***** * * * * *	
Canine Microtr	451	DDLKSLQKLLLEDHKRLQNDLEAEQVKVNSLTHMVIVDENSSESATAVLE	500
Human Microtr	451	DDVKSQKLLLEEHSLSQSDLEAEQVKVNSLTHMVIVDENSSESATAVLE	500
Mouse Microtr	451	DDLPSLQKLLQEHKSLQNDLEAEQVKVNSLTHMVIVDENSSESATAVLE	500
		***** * * * * *	
		***** * * * * *	
Canine Microtr	501	DQLQKLGERTAVCRWTEERWSRLQEIINILWQELLEEQCLLKAWLTEKEE	550
Human Microtr	501	DQLQKLGERTAVCRWTEERWNRLQEIINILWQELLEEQCLLKAWLTEKEE	550
Mouse Microtr	501	DQLQKLGERTAVCRWTEERWNRLQEIISILWQELLEEQCLLEAWLTEKEE	550
		***** * * * * *	
		***** * * * * *	

FIG. 2C

Canine Microtr	551	ALNKVQTSNFKDQKELSVSIRRLAILKEDMEMKRALDQLSEIGQDVGQL	600
Human Microtr	551	ALNKVQTSNFKDQKELSVSIRRLAILKEDMEMKQTLDQLSEIGQDVGQL	600
Mouse Microtr	551	ALDKVQTSNFKDQKELSVSIRRLAILKEDMEMKQTLDQLSEIGQDVGQL	600
		** *****	
Canine Microtr	601	VDNPKASKKINSDELTQWDSLVQRLDSSSQVTQAVAKLGMSQIPQK	650
Human Microtr	601	LDNSKASKKINSDELTQWDSLVQRLDSSNQVTQAVAKLGMSQIPQK	650
Mouse Microtr	601	LSNPKASKKMNSDELTQWDSLVQRLDSSNQVTQAVAKLGMSQIPQK	650
		* *****	
Canine Microtr	651	DLLETVRIREQVTTKRSKQELPPPPPKKRQIPVDLEKLRDLQGAMDDL	700
Human Microtr	651	DLLETVRVREQAITKKSQELPPPPPKKRQIHVDLEKLRDLQGAMDDL	700
Mouse Microtr	651	DLLETVHVREQGMVKPKQELPPPPPKKRQIHVDLEKLRDLQGAMDDL	700

Canine Microtr	701	VDMKEAEAVRNGWKPVGDLIDSLQDHIIEKTMAFREEIAPINLKVKTVD	750
Human Microtr	701	ADMKEAESVRNGWKPVGDLIDSLQDHIIEKTMAFREEIAPINFKVKTVD	750
Mouse Microtr	701	ADMKEVEAVRNGWKPVGDLIDSLQDHIIEKTMAFREEIAPINLKVKTMD	750
		**** *	
Canine Microtr	751	LSSQLSPDLHPSLKMSRQLDDLNRWKLQVSVDDRLKQLQEAHRDFGP	800
Human Microtr	751	LSSQLSPDLHPSLKMSRQLDDLNRWKLQVSVDDRLKQLQEAHRDFGP	800
Mouse Microtr	751	LSSQLSPDLHPSLKMSRQLDDLNRWKLQVSVDDRLKQLQEAHRDFGP	800

FIG. 2D

Canine Microtr	801	SSQHFLSTSVQLPWQRSISHNKVPYYINHQTQTTCWDHPKMTLEFQSLAD	850
Human Microtr	801	SSQHFLSTSVQLPWQRSISHNKVPYYINHQTQTTCWDHPKMTLEFQSLAD	850
Mouse Microtr	801	SSQHFLSTSVQLPWQRSISHNKVPYYINHQTQTTCWDHPKMTLEFQSLAD	850

Canine Microtr	851	LNNVFSAYRTA KIRRLQKALCLDLELNTTNEVFQKHKNQNDQLLSV	900
Human Microtr	851	LNNVFSAYRTA KIRRLQKALCLDLELNTTNEVFQKHKNQNDQLLSV	900
Mouse Microtr	851	LNNVFSAYRTA KIRRLQKALCLDLELNTTNEVFQKHKNQNDQLLSV	900

Canine Microtr	901	PDVINCLTTYDGLQMHKDLVNVPLCVDMLNLLNVYDTGRTGKIRVQ	950
Human Microtr	901	PDVINCLTTYDGLQMHKDLVNVPLCVDMLNLLNVYDTGRTGKIRVQ	950
Mouse Microtr	901	PDVINCLTTYDGLQMHKDLVNVPLCVDMLNLLNVYDTGRTGKIRVQ	950
Canine Microtr	951	SLKIGLMSLSKGLLEEKYRYLFKEVAGPTMCDQRLGILLHDAIQIPRQ	1000
Human Microtr	951	SLKIGLMSLSKGLLEEKYRYLFKEVAGPTMCDQRLGILLHDAIQIPRQ	1000
Mouse Microtr	951	SLKIGLMSLSKGLLEEKYRYLFKEVAGPTMCDQRLGILLHDAIQIPRQ	1000

Canine Microtr	1001	LGEVAAFSGSNI EPSVRSFCFQNNNKPEISVKDFIDWMLPQSMVWLPV	1050
Human Microtr	1001	LGEVAAFSGSNI EPSVRSFCFQNNNKPEISVKDFIDWMLPQSMVWLPV	1050
Mouse Microtr	1001	LGEVAAFSGSNI EPSVRSFCFQNNNKPEISVKDFIDWMLPQSMVWLPV	1050

Canine Microtr	1051	LHRVAAAEATAKHQAKCNICKECPVGFYRSLKHFNVDVCQSCFFSGRTA	1100
Human Microtr	1051	LHRVAAAEATAKHQAKCNICKECPVGFYRSLKHFNVDVCQSCFFSGRTA	1100
Mouse Microtr	1051	LHRVAAAEATAKHQAKCNICKECPVGFYRSLKHFNVDVCQSCFFSGRTA	1100

FIG. 2E

Canine Microutr 1101 KGHKLHYPMVEYCIPTTSGEDVRDFTKVLKNKFRSKKYFAKHPRIGYLPV 1150
Human Microutr 1101 KGHKLHYPMVEYCIPTTSGEDVRDFTKVLKNKFRSKKYFAKHPRIGYLPV 1150
Mouse Microutr 1101 KGHKLHYPMVEYCIPTTSGEDVRDFTKVLKNKFRSKKYFAKHPRIGYLPV 1150

Canine Microutr 1151 QTVLEGNLETN 1162
Human Microutr 1151 QTVLEGNLETN 1162
Mouse Microutr 1151 QTVLEGNLETN 1162

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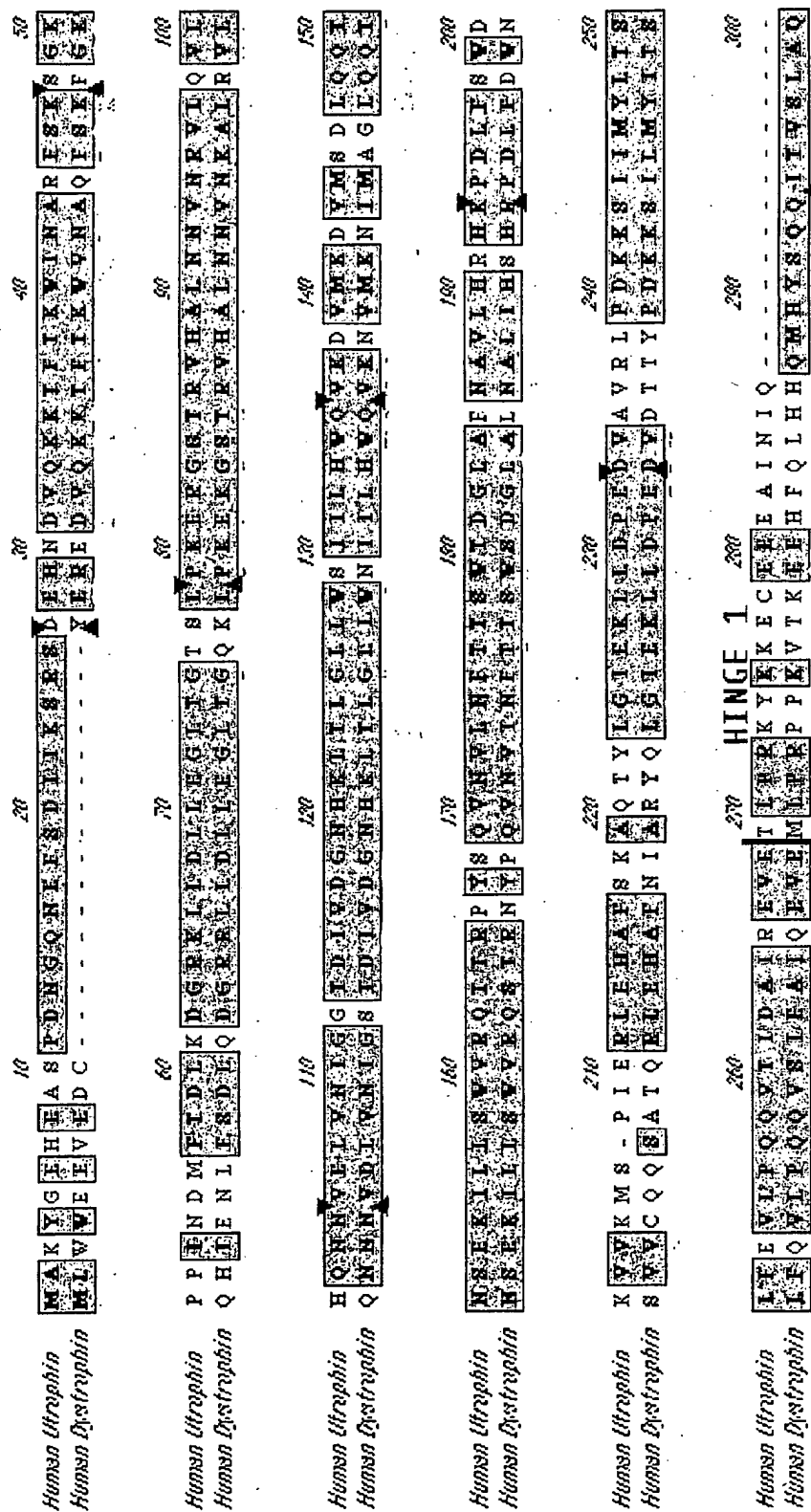
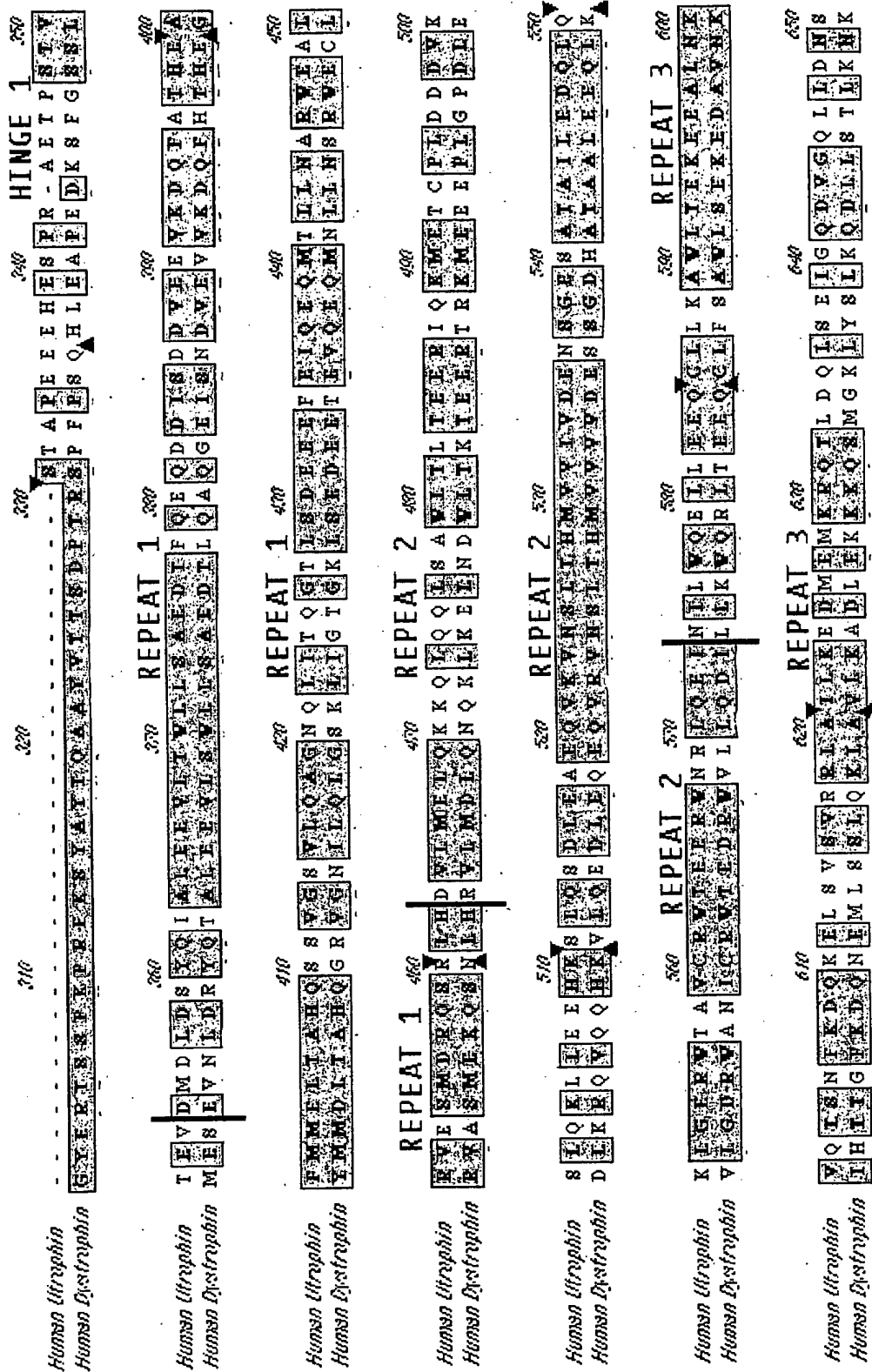


Fig 3A



Human Ultraphia	ELKGQ	PGHA	Y	L	EL	K	T	LE	D	V	I	N	D	S	E	N	E	A	Q	V	S	L	N	V	I	N	D	L	A	K	V	E	K	A	L	Q	E	K	T													
Human Dystrophin	ELKGT	IFD	T	L	P	P	M	R	T	Q	E	F	M	S	A	I	E	T	W	T	Q	S	E	T	E	S	I	P	Q	L	S	V	P	T	D	Y	E	I	M	E	Q	R	E	K	A	L	Q	E	E	L	Q	A

F163C

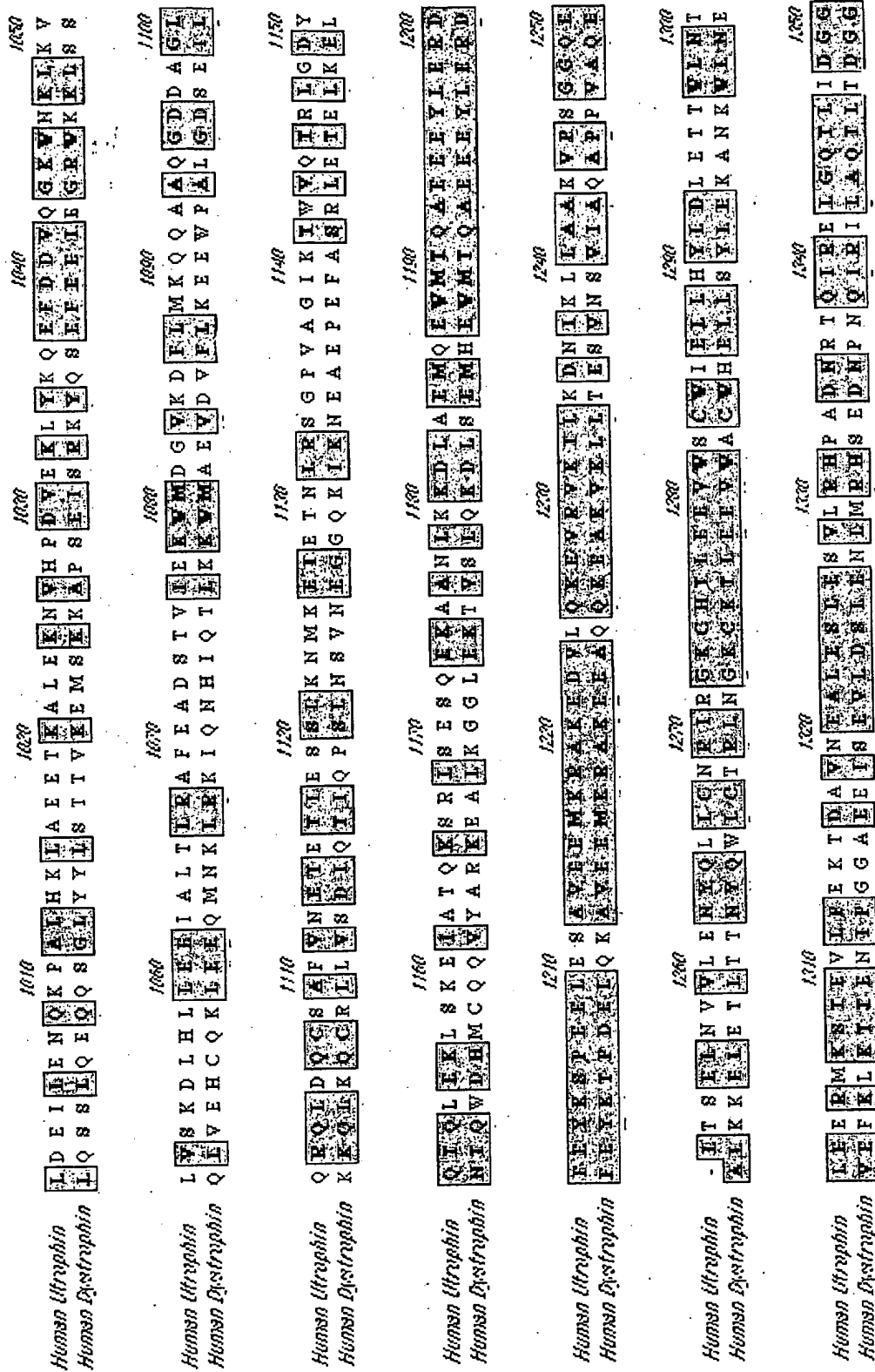
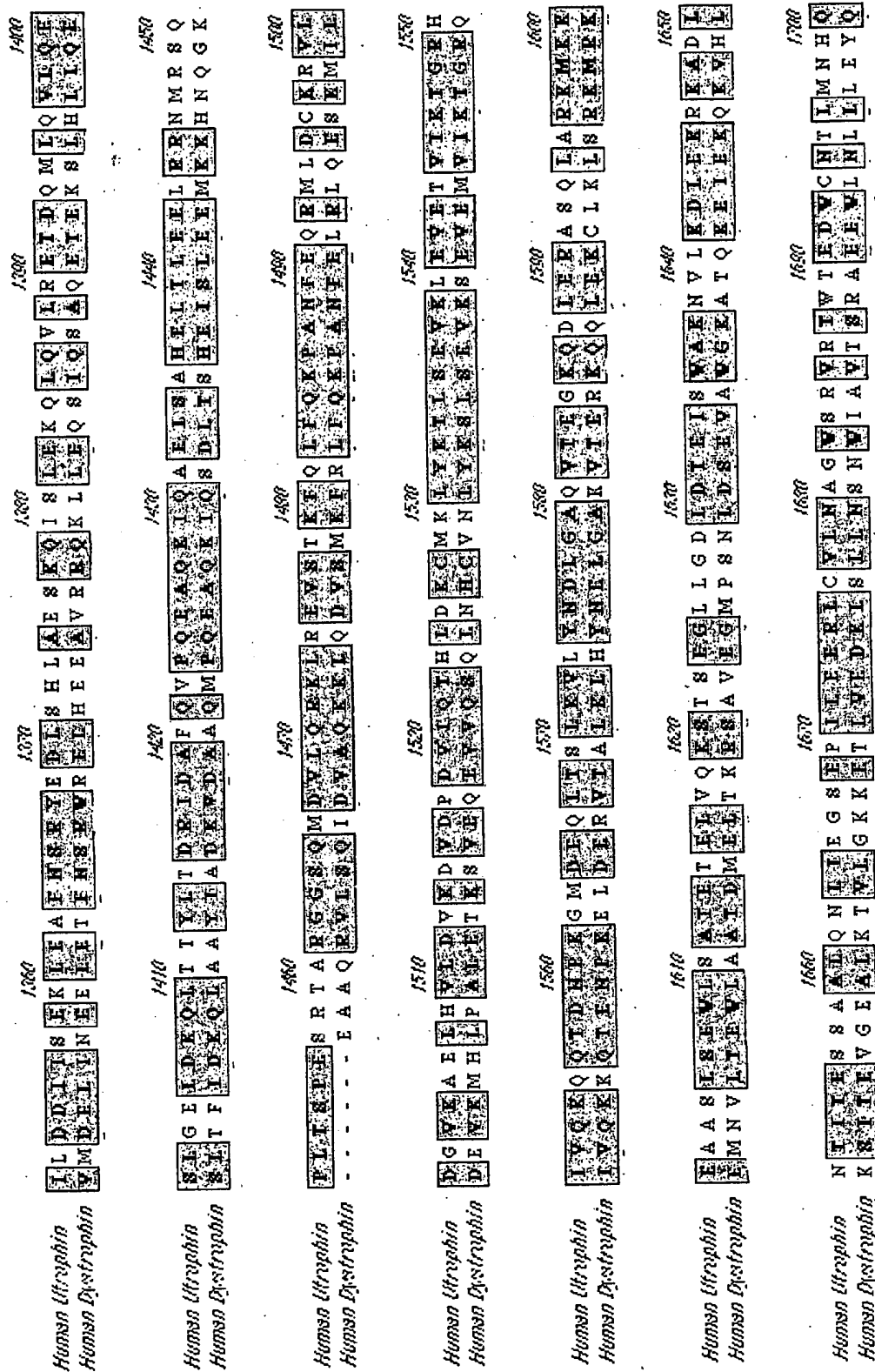
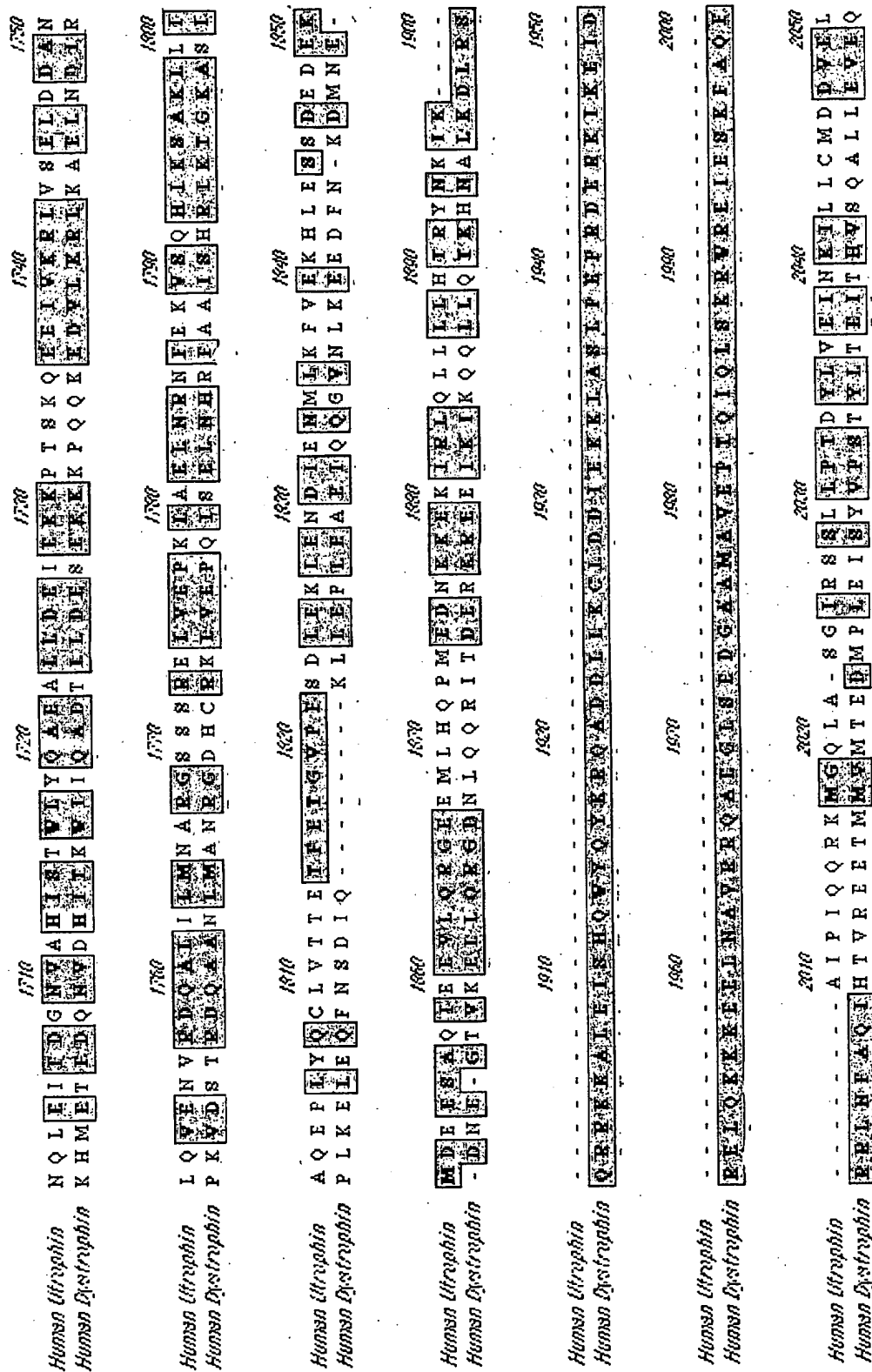


FIG 3D



4364



4364

Human Ultraphin
Human Dystrophin

2060 2070 2080 2090 2100

S E N V P E L N T A I V I D F S F Q E F D S I K N I E D Q I D K L G E Q T A V I H E K Q P D V I L E A
L I N A V D L C A K D I I D L F K Q E E E L K N E D S L Q Q S S G R I D L I H S K K T A A L Q S A

Human Ultraphin
Human Dystrophin

2110 2120 2130 2140 2150

N G P E A I Q L R D I I T O L N A K V D E I N E M Y S D K K G C F D E A M E E V P Q F H C D L N D L
T P V E R V K L Q E A S Q L D F Q V E I V N E M Y K D E Q G R F D E S V E K V P R R F H Y D I K I F

Human Ultraphin
Human Dystrophin

2160 2170 2180 2190 2200

T O V I T E A E E L I V D I C A P G G E L D L E K A R I H Q Q Q L L E V G L S S H Q P S F A A L N R I
N Q M L L I A E E Q F I R K L Q I P E N - W E H A E Y E W Y L K E L Q D G I G Q E H Q T V V R T I L N A T

Human Ultraphin
Human Dystrophin

2210 2220 2230 2240 2250

G D G I V Q K L S Q A E L S F T K F E L A G I N Q E V D A T V A E V K D E Q P R L K G E S K Q V M K
S L E I I Q Q S A K T D I S I L Q E E I E S I N L E E Q F Y C K Q L S D P K R L E E E Q K N I L S E

Human Ultraphin
Human Dystrophin

2260 2270 2280 2290 2300

Y R H Q L D E I I C V L T K A L H A M Q K R S - - - T T E L G E N I Q E L R D I T Q E M E V H A E
F Q R D I N E F V L W L E E A D N A S I P L E F G E E Q Q L K E K L E Q V K L L V E E L P L R Q G

Human Ultraphin
Human Dystrophin

2310 2320 2330 2340 2350

K L V W I N R T E L E M I S D K S L N L P E R D K I S E S I R T V N M T V N N E - - - - -
I T K Q L N E T G G P V L V S A P T S P E E E Q D E L E N K I E Q T N L Q V I E V S E A L P E E Q G E

Human Ultraphin
Human Dystrophin

2360 2370 2380 2390 2400

- - - - -
I A Q I K V L G Q L E E K L E D I I E Q L N H L I I V L S P I P H Q L E I Y N Q P N Q E G P F D Y

FIG 3E

Human Ultraphin	2410	2420	2430	2440	2450
Human Dystrophin	Q E E T I A V Q A A Q P D V E E I I S E G Q H L Y K E K F A I Q P V K R K L E D L S S L V K A V N R				L C R E
Human Ultraphin	2460	2470	2480	2490	2500
Human Dystrophin	V P T T I E E C I Q E P S S V S Q T R I A A H P N V Q K V V L V - - - - S S A S D I P V Q S H R				S S L
Human Ultraphin	2510	2520	2530	2540	2550
Human Dystrophin	I L Q E E L P A K Q P D L A P G L T T I G A S P T Q T V T I L T T Q P V Y T E E T A I S K L E M P S S L				
Human Ultraphin	2560	2570	2580	2590	2600
Human Dystrophin	T S M I S T P L D L D K T I T E I A D V L V L D Q M I E S N I V T V G D T E E I N K T V S E R M E T				
Human Ultraphin	2610	2620	2630	2640	2650
Human Dystrophin	M L E V P A L A D F N R A V T E L I T D V L S L I D Q V I E S Q R V M V G D L E D I N E M I I E Q				
Human Ultraphin	2660	2670	2680	2690	2700
Human Dystrophin	I K A D I L Q E H T Q L P Y F T L A Q N L K N E A S S S D M R I A I I T I K L E R Y K N Q V D G T Q				
Human Ultraphin	2710	2720	2730	2740	2750
Human Dystrophin	I M Q D I E Q E E E Q L E E I I T L A Q N L K N E A S S S D M R I A I I T I K L E R Y K N Q V D G T Q				
Human Ultraphin	2760	2770	2780	2790	2800
Human Dystrophin	H G V E L E Q Q Q L E R M I I B S L Q V W D D H R E E T I E E L M R K Y E A E E Y I L Q Q A R R - - P P				
Human Ultraphin	2810	2820	2830	2840	2850
Human Dystrophin	E H L Q N R R Q Q R N E M L K D S I Q V W L L A K Y E A E E Y I L Q Q A R R - - P P				
Human Ultraphin	2860	2870	2880	2890	2900
Human Dystrophin	E T E Q I S D N Q I T L Q E L G P G D G I V M A F D N V L Q K L L E E Y G S D D T E R N V E E T T E Y				
Human Ultraphin	2910	2920	2930	2940	2950
Human Dystrophin	E T E Q I S D N Q I T L Q E L G P G D G I V M A F D N V L Q K L L E E Y G S D D T E R N V E E T T E Y				
Human Ultraphin	2960	2970	2980	2990	3000
Human Dystrophin	E T E Q I S D N Q I T L Q E L G P G D G I V M A F D N V L Q K L L E E Y G S D D T E R N V E E T T E Y				

FIG 3H

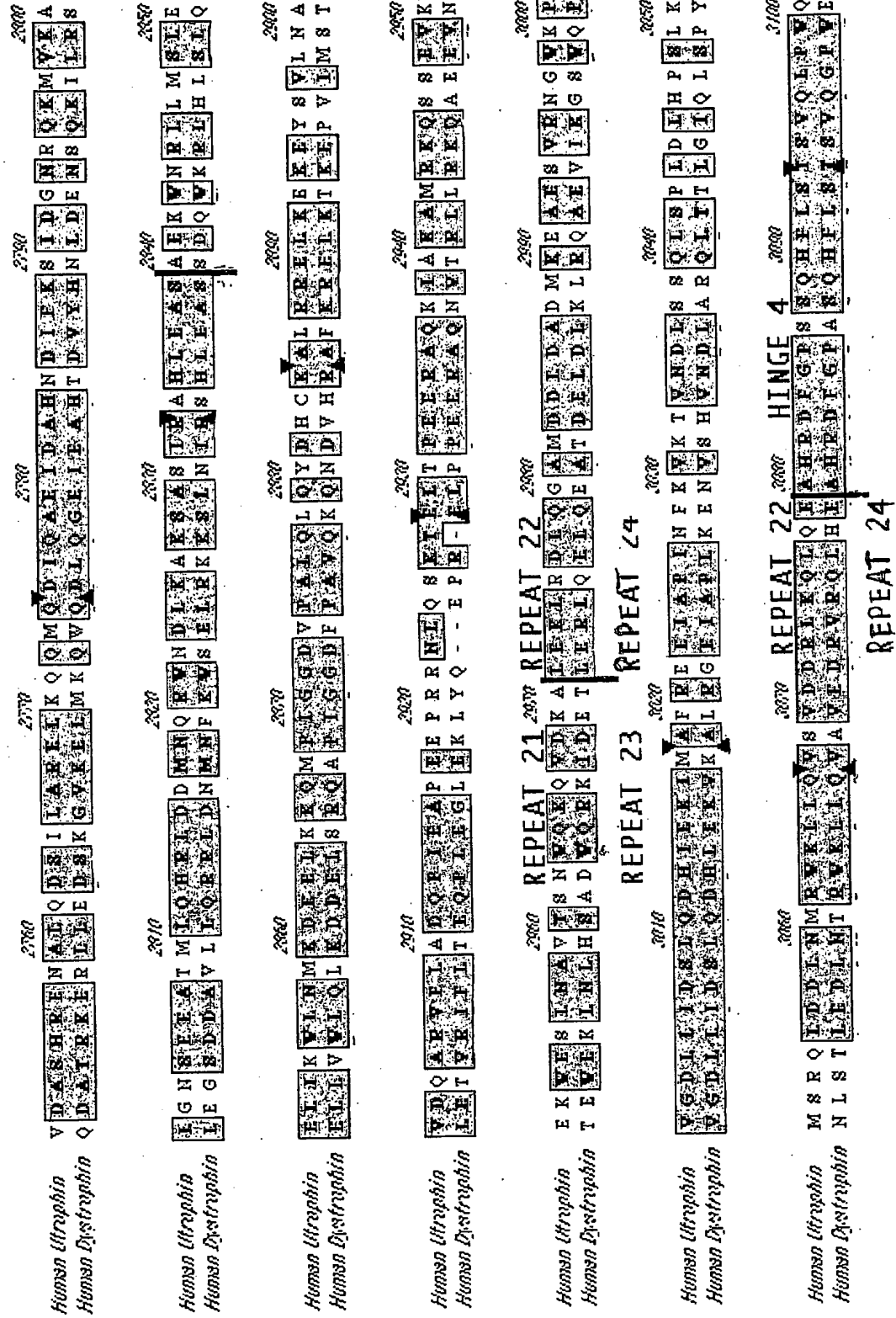
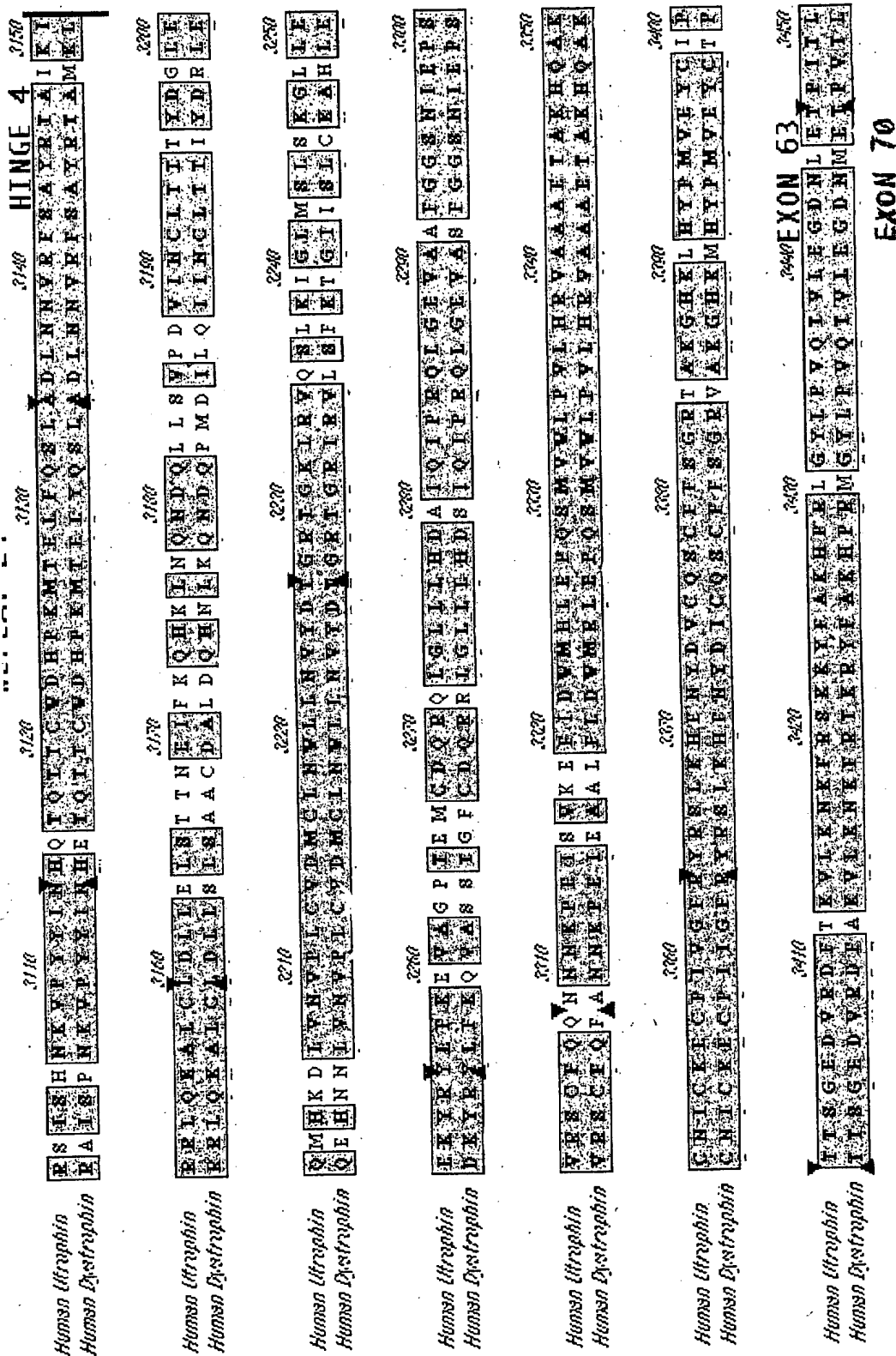


FIG 3I



535

EXON 64
Human Ultraphin
Human Dystrophin

2460
 IIS M V D E H Y D T S Q S T Q L F H D D T H S E L I Q
 2470
 IIN F V D S A P A S S T Q L S H D D T H S E L I Q
 2480
 IIN G S E L I T D S S I S P N
 2490
 IIN G S E L I T D S S I S P N

EXON 71
Human Ultraphin
Human Dystrophin

2530
 G S Y E D E H A L I Q Q Y C Q T I G G E E P P Y S Q P Q S T A Q L I K S V L R E F R G E L L R I I A D
 2540
 E N D D E H L L I Q H Y C Q S I N Q D R R I S Q P R S T A Q L I I S L I S E F R G E L L R I I A D
 2550
 E N D D E H L L I Q H Y C Q S I N Q D R R I S Q P R S T A Q L I I S L I S E F R G E L L R I I A D

Human Ultraphin
Human Dystrophin

2560
 K L E E Q P N I Q V E P E L Q L E G L I T H G S P P E S I I S P H H I S S E D S E L I A E A
 2570
 I A E E L N N I Q A E L D R K Q Q H E H E G L S E L P S E P E E M M P I S P Q S P R D A E L I A E A
 2580
 I A E E L N N I Q A E L D R K Q Q H E H E G L S E L P S E P E E M M P I S P Q S P R D A E L I A E A

Human Ultraphin
Human Dystrophin

2610
 K L T E Q H K G E L L A P M Q I L I H D H N P O L A S Q L H L L Q L E F Q E S D S P I N G - - - V
 2620
 K L T E Q H K G E L L A P M Q I L I H D H N P O L A S Q L H L L Q L E F Q E S D S P I N G - - - V

Human Ultraphin
Human Dystrophin

2660
 S F W A N P Q H S A L N Y S L D P D A S G P Q F H Q A - A G E D L L A P P H D I S T D G L I T Y M I Q
 2670
 S P S T S L Q K S D S S Q P M L L R V V G S Q T S D S M G E E D L L A P P H D I S T D G L I T Y M I Q
 2680
 S P S T S L Q K S D S S Q P M L L R V V G S Q T S D S M G E E D L L A P P H D I S T D G L I T Y M I Q

Human Ultraphin
Human Dystrophin

2710
 I H S T I P S C C P N - - - V T S P P Q A N
 2720
 I H S T I P S C C P N - - - V T S P P Q A N

FIG 3K

SEQUENCE LISTING

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 Stedman, Hansell
 Su, Leonard
 Mitchell, Marilyn

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<151> 2004-01-23

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<220>

<223> canine microutrophin

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gagctgaaac ccccagcact gtcactgaag ttgacacgga tctggacagc tatcagatag      960
cactggagga agtgcagacc tgggtgcttt ctgccgagga cactttccag gagcaggatg     1020
acatttctga tgatgtagaa gaagtcaaag agcagtttac taccatgaa gcttttatga     1080
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Gly Lys Pro Pro Ile Asn Asp Met Phe Thr Asp Leu Lys Asp Gly Arg
50 55 60

Lys Leu Leu Asp Leu Leu Glu Gly Leu Thr Gly Thr Ser Leu Pro Lys
65 70 75 80

Glu Arg Gly Ser Thr Arg Val His Ala Leu Asn Asn Val Asn Arg Val
85 90 95

Leu Gln Val Leu His Gln Asn Asn Val Asp Leu Val Asn Ile Gly Gly
100 105 110

Thr Asp Ile Val Asp Gly Asn His Lys Leu Thr Leu Gly Leu Leu Trp
115 120 125

Ser Ile Ile Leu His Trp Gln Val Lys Asp Val Met Lys Asp Val Met
130 135 140

Ser Asp Leu Gln Gln Thr Asn Ser Glu Lys Ile Leu Leu Ser Trp Val
145 150 155 160

Arg Gln Ser Thr Arg Pro Tyr Ser Gln Val Asn Val Leu Asn Phe Thr
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 Thr Ser Trp Thr Asp Gly Leu Ala Phe Asn Ala Val Leu His Arg His
 180 185 190
 Lys Pro Asp Leu Phe Ser Trp Asp Arg Val Val Lys Met Ser Pro Ile
 195 200 205
 Glu Arg Leu Glu His Ala Phe Ser Lys Ala Gln Thr Tyr Leu Gly Ile
 210 215 220
 Glu Lys Leu Leu Asp Pro Glu Asp Val Ala Val Gln Leu Pro Asp Lys
 225 230 235 240
 Lys Ser Ile Ile Met Tyr Leu Thr Ser Leu Phe Glu Val Leu Pro Gln
 245 250 255
 Gln Val Thr Leu Asp Ala Ile Arg Glu Val Glu Thr Leu Pro Arg Lys
 260 265 270
 Tyr Lys Lys Glu Cys Glu Glu Gly Glu Ile Ser Ile Gln Ser Ser Ala
 275 280 285
 Pro Glu Glu Glu His Glu Cys Pro Gly Ala Glu Thr Pro Ser Thr Val
 290 295 300
 Thr Glu Val Asp Thr Asp Leu Asp Ser Tyr Gln Ile Ala Leu Glu Glu
 305 310 315 320
 Val Leu Thr Trp Leu Leu Ser Ala Glu Asp Thr Phe Gln Glu Gln Asp
 325 330 335
 Asp Ile Ser Asp Asp Val Glu Glu Val Lys Glu Gln Phe Thr Thr His
 340 345 350
 Glu Ala Phe Met Met Glu Leu Thr Ala His Gln Ser Ser Val Gly Ser
 355 360 365
 Val Leu Gln Ala Gly Asn Gln Leu Ile Thr Gln Gly Thr Leu Ser Asp
 370 375 380
 Glu Glu Glu Phe Glu Ile Gln Glu Gln Met Thr Leu Leu Asn Ala Arg
 385 390 395 400
 Trp Glu Ala Leu Arg Val Asp Ser Met Asn Arg Gln Ser Arg Leu His
 405 410 415

Asp Val Leu Met Glu Leu Gln Lys Lys Gln Leu Gln Gln Leu Ser Ala
 420 425 430
 Trp Leu Thr Leu Thr Glu Glu Arg Ile Gln Lys Met Glu Thr Cys Pro
 435 440 445
 Leu Asp Asp Asp Leu Lys Ser Leu Gln Lys Leu Leu Glu Asp His Lys
 450 455 460
 Arg Leu Gln Asn Asp Leu Glu Ala Glu Gln Val Lys Val Asn Ser Leu
 465 470 475 480
 Thr His Met Val Val Ile Val Asp Glu Asn Ser Gly Glu Ser Ala Thr
 485 490 495
 Ala Val Leu Glu Asp Gln Leu Gln Lys Leu Gly Glu Arg Trp Thr Ala
 500 505 510
 Val Cys Arg Trp Thr Glu Glu Arg Trp Ser Arg Leu Gln Glu Ile Asn
 515 520 525
 Ile Leu Trp Gln Glu Leu Leu Glu Glu Gln Cys Leu Leu Lys Ala Trp
 530 535 540
 Leu Thr Glu Lys Glu Glu Ala Leu Asn Lys Val Gln Thr Ser Asn Phe
 545 550 555 560
 Lys Asp Gln Lys Glu Leu Ser Val Ser Ile Arg Arg Leu Ala Ile Leu
 565 570 575
 Lys Glu Asp Met Glu Met Lys Arg Gln Ala Leu Asp Gln Leu Ser Glu
 580 585 590
 Ile Gly Gln Asp Val Gly Gln Leu Val Asp Asn Pro Lys Ala Ser Lys
 595 600 605
 Lys Ile Asn Ser Asp Ser Glu Glu Leu Thr Gln Arg Trp Asp Ser Leu
 610 615 620
 Val Gln Arg Leu Glu Asp Ser Ser Asn Gln Val Thr Gln Ala Val Ala
 625 630 635 640
 Lys Leu Gly Met Ser Gln Ile Pro Gln Lys Asp Leu Leu Glu Thr Val
 645 650 655
 Arg Ile Arg Glu Gln Val Thr Thr Lys Arg Ser Lys Gln Glu Leu Pro
 660 665 670
 Pro Pro Pro Pro Pro Lys Lys Arg Gln Ile Pro Val Asp Leu Glu Lys

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Gly Lys Ile Arg Val Gln Ser Leu Lys Ile Gly Leu Met Ser Leu Ser
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 Lys Gly Leu Leu Glu Glu Lys Tyr Arg Tyr Leu Phe Lys Glu Val Ala
 965 970 975
 Gly Pro Thr Glu Met Cys Asp Gln Arg Gln Leu Gly Leu Leu Leu His
 980 985 990
 Asp Ala Ile Gln Ile Pro Arg Gln Leu Gly Glu Val Ala Ala Phe Gly
 995 1000 1005
 Gly Ser Asn Ile Glu Pro Ser Val Arg Ser Cys Phe Gln Gln Asn
 1010 1015 1020
 Asn Asn Lys Pro Glu Ile Ser Val Lys Asp Phe Ile Asp Trp Met
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 Arg Leu Glu Pro Gln Ser Met Val Trp Leu Pro Val Leu His Arg
 1040 1045 1050
 Val Ala Ala Ala Glu Thr Ala Lys His Gln Ala Lys Cys Asn Ile
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 Cys Lys Glu Cys Pro Ile Val Gly Phe Arg Tyr Arg Ser Leu Lys
 1070 1075 1080
 His Phe Asn Tyr Asp Val Cys Gln Ser Cys Phe Phe Ser Gly Arg
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 Thr Ala Lys Gly His Lys Leu His Tyr Pro Met Val Glu Tyr Cys
 1100 1105 1110
 Ile Pro Thr Thr Ser Gly Glu Asp Val Arg Asp Phe Thr Lys Val
 1115 1120 1125
 Leu Lys Asn Lys Phe Arg Ser Lys Lys Tyr Phe Ala Lys His Pro
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 Leu Glu Thr Asn
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Leu Gln Arg Met Ala Val Ser Ser Pro Arg Tyr Gln Lys Leu Cys Lys
 35 40 45

Asp Ile Gln Ala Glu Ile Asp Ala His Asn Asp Ile Phe Lys Ser Ile
 50 55 60

Asp Gly Asn Arg Gln Lys Met Val Lys Ala Leu Gly Asn Ser Glu Glu
 65 70 75 80

Ala Thr Met Leu Gln His Arg Leu Asp Asp Met Asn Gln Arg Trp Asn
 85 90 95

Asp Leu Lys Ala Lys Ser Ala Ser Ile Arg Ala His Leu Glu Ala Ser
 100 105 110

Ala Glu Lys Trp Asn Arg Leu Leu Met Ser Leu Glu Glu Leu Ile Lys
 115 120 125

Trp Leu Asn Met Lys Asp Glu Glu Leu Lys Lys Gln Met Pro Ile Gly
 130 135 140

Gly Asp Val Pro Ala Leu Gln Leu Gln Tyr Asp His Cys Lys Ala Leu
 145 150 155 160

Arg Arg Glu Leu Lys Glu Lys Glu Tyr Ser Val Leu Asn Ala Val Asp
 165 170 175

Gln Ala Arg Val Phe Leu Ala Asp Gln Pro Ile Glu Ala Pro Glu Glu
 180 185 190

Pro Arg Arg Asn Leu Gln Ser Lys Thr Glu Leu Thr Pro Glu Glu Arg
 195 200 205

Ala Gln Lys Ile Ala Lys Ala Met Arg Lys Gln Ser Ser Glu Val Lys
 210 215 220

Glu Lys Trp Glu Ser Leu Asn Ala Val Thr Ser Asn Trp Gln Lys Gln
 225 230 235 240

Val Asp Lys Ala Leu Glu Lys Leu Arg Asp Leu Gln Gly Ala Met Asp

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Asp Leu Asp Ala Asp Met Lys Glu Ala Glu Ser Val Arg Asn Gly Trp 260 265 270		
Lys Pro Val Gly Asp Leu Leu Ile Asp Ser Leu Gln Asp His Ile Glu 275 280 285		
Lys Ile Met Ala Phe Arg Glu Glu Ile Ala Pro Ile Asn Phe Lys Val 290 295 300		
Lys Thr Val Asn Asp Leu Ser Ser Gln Leu Ser Pro Leu Asp Leu His 305 310 315 320		
Pro Ser Leu Lys Met Ser Arg Gln Leu Asp Asp Leu Asn Met Arg Trp 325 330 335		
Lys Leu Leu Gln Val Ser Val Asp Asp Arg Leu Lys Gln Leu Gln Glu 340 345 350		
Ala His Arg Asp Phe Gly Pro Ser Ser Gln His Phe Leu Ser Thr Ser 355 360 365		
Val Gln Leu Pro Trp Gln Arg Ser Ile Ser His Asn Lys Val Pro Tyr 370 375 380		
Tyr Ile Asn His Gln Thr Gln Thr Thr Cys Trp Asp His Pro Lys Met 385 390 395 400		
Thr Glu Leu Phe Gln Ser Leu Ala Asp Leu Asn Asn Val Arg Phe Ser 405 410 415		
Ala Tyr Arg Thr Ala Ile Lys Ile Arg Arg Leu Gln Lys Ala Leu Cys 420 425 430		
Leu Asp Leu Leu Glu Leu Ser Thr Thr Asn Glu Ile Phe Lys Gln His 435 440 445		
Lys Leu Asn Gln Asn Asp Gln Leu Leu Ser Val Pro Asp Val Ile Asn 450 455 460		
Cys Leu Thr Thr Thr Tyr Asp Gly Leu Glu Gln Met His Lys Asp Leu 465 470 475 480		
Val Asn Val Pro Leu Cys Val Asp Met Cys Leu Asn Trp Leu Leu Asn 485 490 495		
Val Tyr Asp Thr Gly Arg Thr Gly Lys Ile Arg Val Gln Ser Leu Lys 500 505 510		

Ile Gly Leu Met Ser Leu Ser Lys Gly Leu Leu Glu Glu Lys Tyr Arg
 515 520 525
 Tyr Leu Phe Lys Glu Val Ala Gly Pro Thr Glu Met Cys Asp Gln Arg
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 Gln Leu Gly Leu Leu Leu His Asp Ala Ile Gln Ile Pro Arg Gln Leu
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 Gly Glu Val Ala Ala Phe Gly Gly Ser Asn Ile Glu Pro Ser Val Arg
 565 570 575
 Ser Cys Phe Gln Gln Asn Asn Asn Lys Pro Glu Ile Ser Val Lys Glu
 580 585 590
 Phe Ile Asp Trp Met His Leu Glu Pro Gln Ser Met Val Trp Leu Pro
 595 600 605
 Val Leu His Arg Val Ala Ala Ala Glu Thr Ala Lys His Gln Ala Lys
 610 615 620
 Cys Asn Ile Cys Lys Glu Cys Pro Ile Val Gly Phe Arg Tyr Arg Ser
 625 630 635 640
 Leu Lys His Phe Asn Tyr Asp Val Cys Gln Ser Cys Phe Phe Ser Gly
 645 650 655
 Arg Thr Ala Lys Gly His Lys Leu His Tyr Pro Met Val Glu Tyr Cys
 660 665 670
 Ile Pro Thr Thr Ser Gly Glu Asp Val Arg Asp Phe Thr Lys Val Leu
 675 680 685
 Lys Asn Lys Phe Arg Ser Lys Lys Tyr Phe Ala Lys His Pro Arg Leu
 690 695 700
 Gly Tyr Leu Pro Val Gln Thr Val Leu Glu Gly Asp Asn Leu Glu Thr
 705 710 715 720
 Pro Ile Thr Leu Ile Ser Met Trp Pro Glu His Tyr Asp Pro Ser Gln
 725 730 735
 Ser Pro Gln Leu Phe His Asp Asp Thr His Ser Arg Ile Glu Gln Tyr
 740 745 750
 Ala Thr Arg Leu Ala Gln Met Glu Arg Thr Asn Gly Ser Phe Leu Thr
 755 760 765

Asp Ser Ser Ser Thr Thr Gly Ser Val Glu Asp Glu His Ala Leu Ile
 770 775 780
 Gln Gln Tyr Cys Gln Thr Leu Gly Gly Glu Ser Pro Val Ser Gln Pro
 785 790 795 800
 Gln Ser Pro Ala Gln Ile Leu Lys Ser Val Glu Arg Glu Glu Arg Gly
 805 810 815
 Glu Leu Glu Arg Ile Ile Ala Asp Leu Glu Glu Glu Gln Arg Asn Leu
 820 825 830
 Gln Val Glu Tyr Glu Gln Leu Lys Asp Gln His Leu Arg Arg Gly Leu
 835 840 845
 Pro Val Gly Ser Pro Pro Glu Ser Ile Ile Ser Pro His His Thr Ser
 850 855 860
 Glu Asp Ser Glu Leu Ile Ala Glu Ala Lys Leu Leu Arg Gln His Lys
 865 870 875 880
 Gly Arg Leu Glu Ala Arg Met Gln Ile Leu Glu Asp His Asn Lys Gln
 885 890 895
 Leu Glu Ser Gln Leu His Arg Leu Arg Gln Leu Leu Glu Gln Pro Glu
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 Ser Asp Ser Arg Ile Asn Gly Val Ser Pro Trp Ala Ser Pro Gln His
 915 920 925
 Ser Ala Leu Ser Tyr Ser Leu Asp Pro Asp Ala Ser Gly Pro Gln Phe
 930 935 940
 His Gln Ala Ala Gly Glu Asp Leu Leu Ala Pro Pro His Asp Thr Ser
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 Thr Asp Leu Thr Glu Val Met Glu Gln Ile His Ser Thr Phe Pro Ser
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 Cys Cys Pro Asn Val Pro Ser Arg Pro Gln Ala Met
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<220>
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 35 40 45
 Gly Lys Pro Pro Ile Asn Asp Met Phe Thr Asp Leu Lys Asp Gly Arg
 50 55 60
 Lys Leu Leu Asp Leu Leu Glu Gly Leu Thr Gly Thr Ser Leu Pro Lys
 65 70 75 80
 Glu Arg Gly Ser Thr Arg Val His Ala Leu Asn Asn Val Asn Arg Val
 85 90 95
 Leu Gln Val Leu His Gln Asn Asn Val Glu Leu Val Asn Ile Gly Gly
 100 105 110
 Thr Asp Ile Val Asp Gly Asn His Lys Leu Thr Leu Gly Leu Leu Trp
 115 120 125
 Ser Ile Ile Leu His Trp Gln Val Lys Asp Val Met Lys Asp Val Met
 130 135 140
 Ser Asp Leu Gln Gln Thr Asn Ser Glu Lys Ile Leu Leu Ser Trp Val
 145 150 155 160
 Arg Gln Thr Thr Arg Pro Tyr Ser Gln Val Asn Val Leu Asn Phe Thr
 165 170 175
 Thr Ser Trp Thr Asp Gly Leu Ala Phe Asn Ala Val Leu His Arg His
 180 185 190
 Lys Pro Asp Leu Phe Ser Trp Asp Lys Val Val Lys Met Ser Pro Ile
 195 200 205
 Glu Arg Leu Glu His Ala Phe Ser Lys Ala Gln Thr Tyr Leu Gly Ile
 210 215 220
 Glu Lys Leu Leu Asp Pro Glu Asp Val Ala Val Arg Leu Pro Asp Lys
 225 230 235 240
 Lys Ser Ile Ile Met Tyr Leu Thr Ser Leu Phe Glu Val Leu Pro Gln
 245 250 255

Gln Val Thr Ile Asp Ala Ile Arg Glu Val Glu Thr Leu Pro Arg Lys
 260 265 270
 Tyr Lys Lys Glu Cys Glu Glu Glu Ala Ile Asn Ile Gln Ser Thr Ala
 275 280 285
 Pro Glu Glu Glu His Glu Ser Pro Arg Ala Glu Thr Pro Ser Thr Val
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 305 310 315 320
 Val Leu Thr Trp Leu Leu Ser Ala Glu Asp Thr Phe Gln Glu Gln Asp
 325 330 335
 Asp Ile Ser Asp Asp Val Glu Glu Val Lys Asp Gln Phe Ala Thr His
 340 345 350
 Glu Ala Phe Met Met Glu Leu Thr Ala His Gln Ser Ser Val Gly Ser
 355 360 365
 Val Leu Gln Ala Gly Asn Gln Leu Ile Thr Gln Gly Thr Leu Ser Asp
 370 375 380
 Glu Glu Glu Phe Glu Ile Gln Glu Gln Met Thr Leu Leu Asn Ala Arg
 385 390 395 400
 Trp Glu Ala Leu Arg Val Glu Ser Met Asp Arg Gln Ser Arg Leu His
 405 410 415
 Asp Val Leu Met Glu Leu Gln Lys Lys Gln Leu Gln Gln Leu Ser Ala
 420 425 430
 Trp Leu Thr Leu Thr Glu Glu Arg Ile Gln Lys Met Glu Thr Cys Pro
 435 440 445
 Leu Asp Asp Asp Val Lys Ser Leu Gln Lys Leu Leu Glu Glu His Lys
 450 455 460
 Ser Leu Gln Ser Asp Leu Glu Ala Glu Gln Val Lys Val Asn Ser Leu
 465 470 475 480
 Thr His Met Val Val Ile Val Asp Glu Asn Ser Gly Glu Ser Ala Thr
 485 490 495
 Ala Ile Leu Glu Asp Gln Leu Gln Lys Leu Gly Glu Arg Trp Thr Ala
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Val Cys Arg Trp Thr Glu Glu Arg Trp Asn Arg Leu Gln Glu Ile Asn
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 545 550 555 560
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 565 570 575
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 580 585 590
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 595 600 605
 Lys Ile Asn Ser Asp Ser Glu Glu Leu Thr Gln Arg Trp Asp Ser Leu
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 Val Gln Arg Leu Glu Asp Ser Ser Asn Gln Val Thr Gln Ala Val Ala
 625 630 635 640
 Lys Leu Gly Met Ser Gln Ile Pro Gln Lys Asp Leu Leu Glu Thr Val
 645 650 655
 Arg Val Arg Glu Gln Ala Ile Thr Lys Lys Ser Lys Gln Glu Leu Pro
 660 665 670
 Pro Pro Pro Pro Lys Lys Arg Gln Ile His Val Asp Leu Glu Lys
 675 680 685
 Leu Arg Asp Leu Gln Gly Ala Met Asp Asp Leu Asp Ala Asp Met Lys
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 Ser Gln Leu Ser Pro Leu Asp Leu His Pro Ser Leu Lys Met Ser Arg
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 Gln Leu Asp Asp Leu Asn Met Arg Trp Lys Leu Leu Gln Val Ser Val

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 915 920 925
 Asp Met Cys Leu Asn Trp Leu Leu Asn Val Tyr Asp Thr Gly Arg Thr
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 Gly Lys Ile Arg Val Gln Ser Leu Lys Ile Gly Leu Met Ser Leu Ser
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 Lys Gly Leu Leu Glu Glu Lys Tyr Arg Tyr Leu Phe Lys Glu Val Ala
 965 970 975
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 980 985 990
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Cys Lys Glu Cys Pro Ile Val Gly Phe Arg Tyr Arg Ser Leu Lys
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His Phe Asn Tyr Asp Val Cys Gln Ser Cys Phe Phe Ser Gly Arg
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Thr Ala Lys Gly His Lys Leu His Tyr Pro Met Val Glu Tyr Cys
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Ile Pro Thr Thr Ser Gly Glu Asp Val Arg Asp Phe Thr Lys Val
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Leu Lys Asn Lys Phe Arg Ser Lys Lys Tyr Phe Ala Lys His Pro
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Leu Glu Thr Asn
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<220>
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<400> 5

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Glu Phe Ser Asp Ile Ile Lys Ser Arg Ser Asp Glu His Asn Asp Val
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Gln Lys Lys Thr Phe Thr Lys Trp Ile Asn Ala Arg Phe Ser Lys Ser
35 40 45

Gly Lys Pro Pro Ile Ser Asp Met Phe Ser Asp Leu Lys Asp Gly Arg
50 55 60

Lys Leu Leu Asp Leu Leu Glu Gly Leu Thr Gly Thr Ser Leu Pro Lys
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Asp Ile Ser Asp Asp Val Glu Glu Val Lys Glu Gln Phe Ala Thr His
 340 345 350
 Glu Thr Phe Met Met Glu Leu Thr Ala His Gln Ser Ser Val Gly Ser
 355 360 365
 Val Leu Gln Ala Gly Asn Gln Leu Met Thr Gln Gly Thr Leu Ser Arg
 370 375 380
 Glu Glu Glu Phe Glu Ile Gln Glu Gln Met Thr Leu Leu Asn Ala Arg
 385 390 395 400
 Trp Glu Ala Leu Arg Val Glu Ser Met Glu Arg Gln Ser Arg Leu His
 405 410 415
 Asp Ala Leu Met Glu Leu Gln Lys Lys Gln Leu Gln Gln Leu Ser Ser
 420 425 430
 Trp Leu Ala Leu Thr Glu Glu Arg Ile Gln Lys Met Glu Ser Leu Pro
 435 440 445
 Leu Gly Asp Asp Leu Pro Ser Leu Gln Lys Leu Leu Gln Glu His Lys
 450 455 460
 Ser Leu Gln Asn Asp Leu Glu Ala Glu Gln Val Lys Val Asn Ser Leu
 465 470 475 480
 Thr His Met Val Val Ile Val Asp Glu Asn Ser Gly Glu Ser Ala Thr
 485 490 495
 Ala Leu Leu Glu Asp Gln Leu Gln Lys Leu Gly Glu Arg Trp Thr Ala
 500 505 510
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 Lys Trp Leu Asn Glu Val Glu Phe Lys Leu Lys Thr Thr Glu Asn
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 1295 1300 1305
 Glu Asn Leu Met Arg His Ser Glu Asp Asn Pro Asn Gln Ile Arg
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 Ile Leu Ala Gln Thr Leu Thr Asp Gly Gly Val Met Asp Glu Leu
 1325 1330 1335
 Ile Asn Glu Glu Leu Glu Thr Phe Asn Ser Arg Trp Arg Glu Leu
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 Gln Ser Ala Gln Glu Thr Glu Lys Ser Leu His Leu Ile Gln Glu
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 Ser Leu Thr Phe Ile Asp Lys Gln Leu Ala Ala Tyr Ile Ala Asp
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 Lys Val Asp Ala Ala Gln Met Pro Gln Glu Ala Gln Lys Ile Gln
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 Thr Glu Asn Pro Lys Glu Leu Asp Glu Arg Val Thr Ala Leu Lys
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 Leu His Tyr Asn Glu Leu Gly Ala Lys Val Thr Glu Arg Lys Gln
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 Gln Leu Glu Lys Cys Leu Lys Leu Ser Arg Lys Met Arg Lys Glu
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 Thr Lys Arg Ser Ala Val Glu Gly Met Pro Ser Asn Leu Asp Ser
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 Lys Val His Leu Lys Ser Ile Thr Glu Val Gly Glu Ala Leu Lys
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 Trp Leu Asn Leu Leu Leu Glu Tyr Gln Lys His Met Glu Thr Phe
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Ile Gln 1790	Lys Leu Leu Glu Pro 1795	Leu Glu Ala Glu Ile 1800
Val Asn 1805	Leu Lys Glu Glu Asp 1810	Phe Asn Lys Asp Met 1815
Asn Glu 1820	Gly Thr Val Lys Glu 1825	Leu Leu Gln Arg Gly 1830
Gln Gln 1835	Arg Ile Thr Asp Glu 1840	Arg Lys Arg Glu Glu 1845
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Asp Ile 1895	Glu Lys Lys Leu Ala 1900	Ser Leu Pro Glu Pro 1905
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Glu Leu 1925	Asn Ala Val Arg Arg 1930	Gln Ala Glu Gly Leu 1935
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference UPN-Q3355PCT	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2005/001768	International filing date (<i>day/month/year</i>) 21 January 2005 (21.01.2005)	Priority date (<i>day/month/year</i>) 23 January 2004 (23.01.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																								
2.	This REPORT consists of a total of 7 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
<input checked="" type="checkbox"/>	Box No. I	Basis of the report																							
<input type="checkbox"/>	Box No. II	Priority																							
<input checked="" type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability																							
<input type="checkbox"/>	Box No. IV	Lack of unity of invention																							
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																							
<input type="checkbox"/>	Box No. VI	Certain documents cited																							
<input checked="" type="checkbox"/>	Box No. VII	Certain defects in the international application																							
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date of issuance of this report 24 July 2006 (24.07.2006)</td> </tr> <tr> <td style="padding: 2px;">Authorized officer Dorothee Mülhausen e-mail: pt01@wipo.int</td> </tr> </table>	Date of issuance of this report 24 July 2006 (24.07.2006)	Authorized officer Dorothee Mülhausen e-mail: pt01@wipo.int
Date of issuance of this report 24 July 2006 (24.07.2006)			
Authorized officer Dorothee Mülhausen e-mail: pt01@wipo.int			

PATENT COOPERATION TREATY

REC'D 19 DEC 2005
WIPO PCT

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To: CATHY KODROFF HOWSON AND HOWSON SRPING HOUSE CORPORATE CENTER P.O. BOX 457 SPRINGS HOUSE, PA 19477			Date of mailing (day/month/year) 16 DEC 2005	
Applicant's or agent's file reference UPN-Q3355PCT			FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/US05/01768	International filing date (day/month/year) 21 January 2005 (21.01.2005)	Priority date (day/month/year) 23 January 2004 (23.01.2004)		
International Patent Classification (IPC) or both national classification and IPC IPC(7): C07K 1/00, 14/00; C07H 21/02, 21/04; A61K 31/70 and US Cl.: 530/350, 827; 53; 23.1-23.5; 514/44				
Applicant THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA				

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.
For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 07 November 2005 (07.11.2005)	Authorized officer Suzanne M. Mayer, Ph.D. Telephone No. 571-272-1600
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Form PCT/ISA/237 (cover sheet) (April 2005)

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No. _____

PCT/US05/01768

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☒ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☒ on paper
☒ in electronic form

c. time of filing/furnishing

- ☒ contained in the international application as filed.
☒ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International appl
PCT/US05/01758

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 9-15

because:

☐ the said international application, or the said claim Nos. _____ relate to the following subject matter which does not require an international search (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 9-15 are so unclear that no meaningful opinion could be formed (*specify*):

The claims are dependent upon 'any of claims 1-8'. There is no claim 3 in the application thus no meaningful search of these claims can be made.

☐ the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

☐ no international search report has been established for said claims Nos. _____

☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:

☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rules 13ter.1(a) or (b).

☐ a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International appl.
PCT/US05/01758

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims 6 YES

Claims 1,2,4,5,7-8 and 15-16 NO

Inventive step (IS)

Claims 6 YES

Claims 1,2,4,5,7-8 and 15-16 NO

Industrial applicability (IA)

Claims 1,2,4-8 and 15-16 YES

Claims 1,2,4-8 and 15-16 NO

2. Citations and explanations:

Claims 1,2,4,5, 7-8 and 16-17 lack novelty and inventive step under PCT Article 33(2) and 33(3) as being anticipated by TINSLEY et al. (US 6,518,413). Utrophin is a 3,433 amino acid protein with several different regions and domains and which is usually found in muscle tissues. Tinsley et al. teach a DNA molecule that is a utrophin "mini-gene" which expresses a polypeptide that encodes for a 2008 amino acid protein which possesses the N-terminal amino acid domain, and the C-terminal amino acid domain, but which is missing the majority of the central domain (approximately 1500 amino acids - attached amino acid sequence alignment of SEQ ID No: 5 and SEQ ID No: 8 of Tinsley et al.). The polynucleotide is clone is placed under the control of the human skeletal alpha-actin (HAS) promoter and regulatory regions (column 16, lines 55-62). This promoter is a muscle specific promoter. The DNA of the invention is used with adenovirus or retrovirus vectors (column 10, lines 1-3). Claim 2 is included in this rejection because the prior art suggests/teaches that utrophin only has two hinge regions. This is evidenced by van Deutekom et al. (Figure 1, p.776) and Winder et al.: "similarly utrophin is thought to contain 22 repeats and two hinges." (1st column, 1st line, p.28).

Claim 6 meets the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest DNA that encodes a protein of SEQ ID Nos: 4, 2 and 5.

Claims 1-2, 4-8 and 16-17 meet the criteria set out in PCT Article 33(4), and thus possess industrial applicability because the subject matter claimed can be made or used in industry. The microtrophin DNA and encoded proteins described in this application would be useful in the medical industry as a potential treatment supplement for muscle wasting diseases such as muscular dystrophy.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US05/01758

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The description is objected to as containing the following defect(s) under PCT Rule 66.2(a)(iii) in the form or contents thereof: The first page of the specification is missing.

The Brief Description of the Drawings section contains an error on p. 2, line 19. This line refers to Figures 3A-2K, it should refer to Figures 3A-3K.

Claims 1-17 are objected to under PCT Rule 66.2(a)(iii) as containing the following defect(s) in the form or contents thereof: There is no claim # 3 in the claim set. Thus the claims are incorrectly numbered after claim 2 and onwards.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/01768

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claims 2-8 and 16-17 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims 2-8 and 16-17 are indefinite for the following reason(s): The independent claim is drawn to a DNA molecule. However, the inconsistent use of DNA terminology and protein (e.g. amino acid) terminology renders the claims indefinite. For example, in claim 6, the recitation of a nucleic acid according to claim 1, where the microtrophin is selected from the group having the amino acid sequence of SEQ ID No: 4. Correct claim construction in this circumstance dictates that the nucleic acid must encode for a protein having an amino acid sequence.

Claim 6 is objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claim 6 is indefinite for the following reason(s): Claim 6 recites a microtrophin selected from the group consisting of human, canine and mouse microtrophin having the amino acid sequences of SEQ ID Nos: 4, 2 and 5, respectively. However, "microtrophin" is not a naturally occurring protein. Instead the term is defined by Applicants themselves and it they are non-naturally occurring protein derived from human, canine and mouse, but not endogenous. Thus, claims a human microtrophin having the amino acid sequence of SEQ ID No: 4, for example, is wholly inaccurate and misleading.

REC'D 19 DEC 2005
WIPO PCT

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
CATHY KODROFF
HOWSON AND HOWSON
SRPING HOUSE CORPORATE CENTER
P.O. BOX 457
SPRINGS HOUSE, PA 19477

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference		Date of mailing (day/month/year)
UPN-Q3355PCT		16 DEC 2005
FOR FURTHER ACTION See paragraph 2 below		
International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US05/01768	21 January 2005 (21.01.2005)	23 January 2004 (23.01.2004)
International Patent Classification (IPC) or both national classification and IPC		
IPC(7): C07K 1/00, 14/00; C07H 21/02, 21/04; A61K 31/70 and US Cl.: 530/350, 827; 53; 23.1-23.5; 514/44		
Applicant		
THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 07 November 2005 (07.11.2005)	Authorized officer Suzanne M. Mayer, Ph.D. Telephone No. 571-272-1600
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Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No. **14**
PCT/US05/01768

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☒ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☒ on paper
☒ in electronic form

c. time of filing/furnishing

- ☒ contained in the international application as filed.
☒ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International appl.
PCT/US05/01768

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 9-15

because:

☐ the said international application, or the said claim Nos. _____ relate to the following subject matter which does not require an international search (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 9-15 are so unclear that no meaningful opinion could be formed (*specify*):

The claims are dependent upon 'any of claims 1-8'. There is no claim 3 in the application thus no meaningful search of these claims can be made.

☐ the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed (*specify*):

☐ no international search report has been established for said claims Nos. _____

☐ a meaningful opinion could not be formed without the sequence listing, the applicant did not, within the prescribed time limit:

☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

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☐ a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International appl.
PCT/US05/01758

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 6	YES
	Claims 1,2,4,5,7-8 and 15-16	NO
Inventive step (IS)	Claims 6	YES
	Claims 1,2,4,5,7-8 and 15-16	NO
Industrial applicability (IA)	Claims 1,2,4-8 and 15-16	YES
	Claims 1,2,4-8 and 15-16	NO

2. Citations and explanations:

Claims 1,2,4,5, 7-8 and 16-17 lack novelty and inventive step under PCT Article 33(2) and 33(3) as being anticipated by TINSLEY et al. (US 6,518,413). Utrophin is a 3,433 amino acid protein with several different regions and domains and which is usually found in muscle tissues. Tinsley et al. teach a DNA molecule that is a utrophin "mini-gene" which expresses a polypeptide that encodes for a 2008 amino acid protein which possesses the N-terminal amino acid domain, and the C-terminal amino acid domain, but which is missing the majority of the central domain (approximately 1500 amino acids - attached amino acid sequence alignment of SEQ ID No: 5 and SEQ ID No: 8 of Tinsley et al.). The polynucleotide is clone is placed under the control of the human skeletal alpha-actin (HAS) promoter and regulatory regions (column 16, lines 55-62). This promoter is a muscle specific promoter. The DNA of the invention is used with adenovirus or retrovirus vectors (column 10, lines 1-3). Claim 2 is included in this rejection because the prior art suggests/teaches that utrophin only has two hinge regions. This is evidenced by van Deutekom et al. (Figure 1, p.776) and Winder et al.: "similarly utrophin is thought to contain 22 repeats and two hinges." (1st column, 1st line, p.28).

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US05/01758

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/01768

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the questions whether the claims are fully supported by the description, are made:

Claims 2-8 and 16-17 are objected to under PCT Rule 66.2(a)(v) as lacking clarity under PCT Article 6 because claims 2-8 and 16-17 are indefinite for the following reason(s): The independent claim is drawn to a DNA molecule. However, the inconsistent use of DNA terminology and protein (e.g. amino acid) terminology renders the claims indefinite. For example, in claim 6, the recitation of a nucleic acid according to claim 1, where the microtrophin is selected from the group having the amino acid sequence of SEQ ID No: 4. Correct claim construction in this circumstance dictates that the nucleic acid must encode for a protein having an amino acid sequence.

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Document made available under the Patent Cooperation Treaty (PCT)

International application number: PCT/US05/001768

International filing date: 21 January 2005 (21.01.2005)

Document type: Certified copy of priority document

Document details: Country/Office: US
Number: 60/538,877
Filing date: 23 January 2004 (23.01.2004)

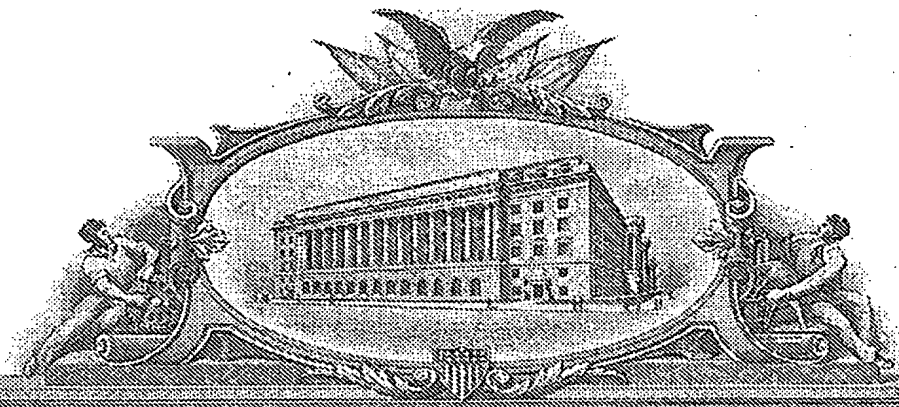
Date of receipt at the International Bureau: 26 September 2005 (26.09.2005)

Remark: Priority document submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b)



World Intellectual Property Organization (WIPO) - Geneva, Switzerland
Organisation Mondiale de la Propriété Intellectuelle (OMPI) - Genève, Suisse

1369452



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 16, 2005

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A FILING DATE.

APPLICATION NUMBER: 60/538,877

FILING DATE: *January 23, 2004*

RELATED PCT APPLICATION NUMBER: *PCT/US05/01768*



Certified by

Don W. Duckes

Under Secretary of Commerce
for Intellectual Property
and Director of the United States
Patent and Trademark Office

16085 U.S. PTO

PTO/SB/16 (10-01)



012304

PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53(c).

Express Mail Label No. EV222867963US

INVENTOR(S)					
Given Name (first and middle [if any])	Family Name or Surname		Residence (City and either State or Foreign Country)		
Hansell Leonard Marilyn	STEDMAN SU MITCHELL		Philadelphia, PA Philadelphia, PA Philadelphia, PA		
<input type="checkbox"/> Additional inventors are being named on the _____ separately numbered sheets attached hereto					
TITLE OF THE INVENTION (500 characters max)					
AAV MICROUTROPHIN AND METHODS OF USE THEREOF					
Direct all correspondence to: CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number		Type Customer Number here		Place Customer Number Bar Code Label here	
OR					
<input checked="" type="checkbox"/> Firm or Individual Name		Lisa Burgin Conte, Esquire			
Address		Dilworth Paxson LLP			
Address		3200 Mellon Bank Center, 1735 Market Street			
City		Philadelphia	State	Pennsylvania	ZIP 19103
Country		US	Telephone	215.575.7356	Fax 215.575.7200
ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification Number of Pages 5		<input type="checkbox"/> CD(s), Number			
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets 0		<input type="checkbox"/> Other (specify):			
<input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76					
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Fee Amount (\$): \$80.00			
<input checked="" type="checkbox"/> A check of money order is enclosed to cover the filing fees					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account No. <u>50-0979</u> .					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.					
<input type="checkbox"/> Yes, the name of the U.S. Government agency and the Government contract number are:					

Respectfully submitted,

Lisa Burgin Conte, Reg. No. 52,470Date: January 23, 2004

Attorney Docket No. Q3355

USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT**EV222867963US**

AAV MICROUTROPHIN AND METHODS OF USE THEREOF

Description of the Technology:

This document discloses the construction and intended use of a microutrophin coding sequence in the treatment of the most common X-linked lethal disease in man. The goal is to use this new construction in the context of recombinant AAV delivered to skeletal and ultimately cardiac muscle as outlined in previous technology disclosures.

Duchenne Muscular Dystrophy (DMD) is caused by a deficiency of the muscle cytoskeletal protein known as dystrophin (Hoffman, Brown et al. 1987; Hoffman, Flachbeek et al. 1988). Dystrophin is a member of the spectrin superfamily of proteins and as such is distantly related to spectrin and alpha-actinin (Koenig, Monaco et al. 1988). Dystrophin is most closely related to the protein utrophin (Tinsley, Blake et al. 1992). The genes for these two proteins have nearly identical intron/exon structures, and the proteins are 50+% homologous at the amino acid level. Dystrophin is expressed throughout the entire length of the skeletal muscle fiber while utrophin is normally expressed only at the neuromuscular junction. Most cases of DMD result from sporadic deletions of the X chromosomal dystrophin gene (Koenig, Beggs et al. 1989). The destruction of the dystrophin open reading frame by these mutations suggests that therapies that genetically reconstitute dystrophin expression will elicit a cellular immune response against the fibers in which the protein is synthesized.

In the years following the initial discovery of utrophin, the technologies for targeted gene ablation in mice facilitated a formal genetic analysis of gene complementation. In the transgenic mouse in which the expression of utrophin is dictated by a muscle-specific promoter, utrophin can complement the physiological role of dystrophin (Tinsley, Potter et al. 1996; Tinsley, Deconinck et al. 1998). This has prompted a multi-million dollar research effort to find pharmacological means of upregulating the expression of utrophin in the muscle of patients with DMD (Burton, Tinsley et al. 1999; Perkins, Burton et al. 2001).

Our strategy is different: somatic transfer of a micro-utrophin encoding DNA sequence under the control of a muscle-specific promoter (Stedman 2001). Recently published studies from several groups have demonstrated the utility of AAV-sized microdystrophin cassettes for reversing the pathology of dystrophin deficiency in

mice(Wang, Li et al. 2000; Harper, Hauser et al. 2002). Building on this advance, we have constructed a microtrophin cassette for use in probing both the functional restoration of dystrophin and the immune response. Our preferred animal model for these studies is the German Short Haired Pointer dog, because of its complete deletion of the dystrophin coding sequence(Schatzberg, Olby et al. 1999). All other "dystrophin-deficient" animal models described to date derive from point mutations, with the end result that the immune systems in these animals are predicted to develop tolerance to the peptide encoded by the remainder of the dystrophin open reading frame(Schatzberg, Anderson et al. 1998; Lu, Morris et al. 2000). In the GSHP dog model we will be able to study in detail the immune response to recombinant canine dystrophin and utrophin, when these proteins are produced from somatically delivered AAV vectors. On completion of these studies we will have answered essential questions about the relative safety and efficacy of the two methods for treating DMD by somatic gene transfer.

Sequence 1

Microtrophin Nucleotide Sequence

ATCGATCCACCATGGCCCAAGTATGGAGAACATGAAGGCCAGTCTGTGATAATGGGCAGAACGAATTCAGTGACATCATTTAA
GTCCAGATCTGATGAACACAATGACGTGCAGAAGAAAACCTTTACCAAATGGATCAATGCGCGATTTTCAAAGAGATGGAA
AAACCACCCATCAATGATATGTTTCACAGACCTCAAAGATGGAAGGAAGCTCCTGGATCTTCTGGAAGGCCCTCACAGGAA
CATCACTGCCAAGGAACGTGGTTCCACRAAGGGTACATGCTTTAAATAATGTCAACAGAGTGCTGCAGGTTTTGCATCA
GAATAATGTGGATTTAGTGAATATAGGAGGAACATGCATTTAGTAGATGGAAATCACAAACTGCATTTGGGATTACTTTGG
AGCATCATTTTGCATCTGGCAGGTAAAGAGATGTCATGAAAGATGTCTGACAGCTGCAGCAGACAAAACAGTGAAGRAA
TCCTACTGAGCTGGGTGCGCCAGTCTACTAGGCCGTACAGCCAGGTCAACGCTCTCACTTCCACCACAGCTGGACAGA
TGGACTGGCCTTTAATGCTGTGCTGCACCAGACATAAACCTGATCTCTTCAAGCTGGGATAGAGTGTGTCAAAATGTCCCCA
ATTGAGAGACTTTGAACATGCCTTCAGCAAAGCTCAAACCTTATTTGGGAATTGAAAAGCTGTTAGATCCTGAAGATGTTG
CCGTTCAACTTCTGACAAGAAATCCATAATTATGTATTTAACATCTTTGTTTGGAGTGCTTCCCTCAGCAAGTCACTCT
AGATGCCATCCGTGAAGTAGAGACACTCCCAAGGAAATATAAGAAAGATGTGAAGAGGAGAGATTAGTATACAGAGC
TCAGCGCCAGAGCAGAGCATGAGTGTCCCGAGCTGAAACCCCCAGCACTGTCAAGTTGACACGGATCTGGACA
GCTATCAGATAGCACTGGAGGAAGTGTGACCTGGTTGCTTTCTGCGGAGGACACTTTCCAGGAGCAGGATGACATTTCT
TGATGATGTAGAAGAAAGTCAAAGAGCAGTTTACTACCCATGAAGCTTTTATGATGGAGCTGACAGCGCACCAGGAGCAGT
GTGGGCAGTGTCTCTGAGGCGAGGAACCCAGCTGATAACGCAAGGAACCTCTGTGATGAGGAGGAATTTGAAATTCAGG
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GCCTTAAACAGCTTCAGGAAGCCCATAGAGATTTTGGGCCATCTCTCAGCATTTTCTTTCTACTTCAGTCCAGCTGCC
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AAATGAGTGAACCTCTTCAATCTCTTGTGACCTGAATAATGTACGTTTCTGTGCTACCGTACAGCCATCAAAATCC
GAAGACTACAAAAGCACTGTGTTTGGATCTCTTAGAGTTGAATACAAACAAATGAAGTTTCAAGCAGACAACAAATGAA
CCAAAATGATCAGCTTCTTAGCGTTCCAGATGTCATCAACTGTCTGACAACAACTTATGATGGTCTTGAACAAATGCAT
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TTCAGGTATAGAAGCCTAAAGCATTTTAACTATGATGTCTGCCAGAGTTGCTTTTTTTTGGGTCGAACGGCAAAAGGTC
ACAAATTACATTTACCAATGGTGGAAATTTGTATACCTACAACATCTGGGGAAGATGTACGAGACTTCACAAAGGTGCT
GAAGAATAAGTTTCAGATCAAAAGAAATACTTTTGCCAAACATCTCGGCTTGGCTACCTGCCGTGCCAGACAGTACTTGAA
GGTGACAACCTTAGAGACTTGAAAACTCGAG

Sequence 2
Microtrophin Peptide Sequence

MAKYGEHEASPDNGQNEFSDIKSRSEHNDVQKKTFTKWINARFSKSGKPPINDMFTDL
KDGRKLLDLLEGLTGTSLPKERGSTRVHALNNVNRVLQVLHQNNVDLVNIGGTDIVDGNH
KLTGLLWSIILHWQVKDVMKDVMSDLQQTNSEKILLSWVRQSTRPYSQVNVNFTTSWT
DGLAFNAVLHRHKPDLFSWDRVVKMSPIERLEHAFSKAQTYLGIEKLLDPEDVAVQLPDK
KSIIMYLTSLFEBVLPQQVTLDAREVBTLPRKYKKBCEEGEISIQSSAPEEEHECPGAET
PSTVTEVDITDLDYQIALBEVLTWLLSABDTFQEQDDISDDVEEVKEQFTTHEAFMMBELT
AHQSSVGSVLQAGNQLITQGTLSDBBEFEIQEQMTLLNARWEALRVDSMNRQSRLHDVLM
ELQKKQLQQLSAWLTLEERIQKMETCPLDDDLKSLQKLLLEDHKRLQNDLEABQVKVNSL
THMVVIVDENSQESATAVLEDQLQKLGERWTAVCRWTEERWSRLQENILWQELLBEQCL
LKAWLTEKEEALNKVQTSNFKDQKELSVSIRRLAILKEDMEMKRQALDQLSEIGQDVGQL
VDNPKASKKINSDEELTQRWDSLQVLEDSSNQVTQAVAKLGMSQIPQKDLLETVRIRE
QVTTKRSKQELPPPPPKRQIPVDLEKLRLDQAMDDLDVDMKEABAVRNGWKPVGDLL
IDSLQDHIEKTMAFREELAPINLKVKTVNDLSSQLSPLDLHPSLKMSRQLDDLNMWRKLL
QVSVDRLKQLQBAHRDFGPSSQHFLSTSVQLPWQRSISHNKVPYYINHQTQTTCDWRPK
MTELFQSLADLNNVRFSAYRTAIIKIRRLQKALCLDLLELNTTNEVFKQHKLNQNDQLLSV
PDVINCLTTTYDGLEQMHKDLVNVPLCVDMCLNWLNVYDTGRTGKIRVQSLKIGLMSLS
KGLLEEKYRYLFKEVAGPTMCDQRQLGLLHDAIQIPQLGEVAAFSGGSNIEPSVRSCF
QQNNNKPEISVKDFIDWMRLEPQSMVWLPVLHRVAAETAHQAKCNICKECPVGFYR
SLKHFNVDVCQSCFFSGRTAKGHLHYPMVEYCIPTTSGEDVRDFTKVLKNKFRSKKYFA
KHPRLGYLPVQTVLEGDNLET

We Claim:

1. A microtrophin cassette for treatment of Duchenne Muscular Dystrophy (DMD) by somatic gene transfer.
2. A method of using the microtrophin cassette of claim 1 for restoration of dystrophin.
3. A method of using the microtrophin cassette of claim 1 to generate an immune response.
4. A method of treating dystrophin deficiency by somatic gene transfer.
5. The nucleotide sequence embodied in sequence 1 that encodes a microtrophin molecule, wherein the microtrophin molecule is homologous to the human dystrophin homolog utrophin.
6. A microtrophin molecule embodied in the polypeptide sequence of sequence 2, wherein the microtrophin molecule is homologous to the human dystrophin protein homolog utrophin.
7. A method of treatment using the nucleotide sequence of claim 5 wherein the nucleotide sequence is delivered to human cells by one or more gene vectors from the group comprising adenovirus, adeno associated virus, lentivirus and plasmids.
8. A method of using the sequence of claim 5 in gene therapy applications to treat muscle disorders.
9. A method of using the sequence of claim 5 in gene therapy applications to treat muscular dystrophy.
10. A method of using the sequence of claim 5 in gene therapy applications to treat Duchenne Muscular Dystrophy.
11. A method of using the microtrophin molecule of claim 6 to treat muscle disorders.
12. A method of using the microtrophin molecule of claim 6 to treat muscular dystrophy.
13. A method of using the microtrophin molecule of claim 6 to treat Duchenne Muscular Dystrophy.
14. A nucleotide sequence that is at least 50% homologous to the nucleotide sequence of claim 5.
15. A polypeptide sequence that is at least 50% homologous to the polypeptide sequence of claim 6.

PCTNOTIFICATION CONCERNING
SUBMISSION OR TRANSMITTAL
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

To:

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Applicant THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA et al	International filing date (day/month/year) 21 January 2005 (21.01.2005) Priority date (day/month/year) 23 January 2004 (23.01.2004)

1. By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).

2. (If applicable) The letters "NR" appearing in the right-hand column denote a priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

3. (If applicable) An asterisk (*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b) (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as the priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

Priority date	Priority application No.	Country or regional Office or PCT receiving Office	Date of receipt of priority document
23 January 2004 (23.01.2004)	60/538,877	US	26 September 2005 (26.09.2005)

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